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82D CONGRESS
1ST SESSION

H. R. 5350

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1951

Mr. DAWSON introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

A BILL

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, Eighty-first Congress), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws)".

(b) By inserting after "obligated" in section 3 (k) "or has the option".

(c) By deleting the proviso in section 109 (f).

(d) By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by Federal agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: *Provided,* That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b)."

(e) By striking "executive" wherever it appears in sections 202 (b), 202 (c), 203 (b), 203 (c), 203 (d), 203

(f), 204 (e), 205, 206 (a), 206 (c), and 207 and substituting therefor "Federal".

(f) By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and organizations specified in section 109 (f), and".

(g) By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

(h) By revising section 203 (e) so as to read:

"All disposals of surplus property, other than donations, authorized by the Administrator shall be made after such full and free competition as is consistent with the public interest and the circumstances, under regulations prescribed by the Administrator: *Provided,* That an explanatory statement shall be preserved in the file of all cases where negotiated disposal occurs."

(i) By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that".

(j) By striking "an executive" in section 204 (d) and substituting therefor "a Federal".

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures".

(l) By striking "supplies" wherever it appears in title III and substituting therefor "property".

(m) By inserting "(a)" after "SEC. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act."

(n) By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records", and by deleting after "Commission" therein "he may also".

(o) By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings".

82D CONGRESS
1ST SESSION

H. R. 5350

A BILL

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

By Mr. DAWSON

SEPTEMBER 14, 1951

Referred to the Committee on Expenditures in the Executive Departments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 11, 1952
For actions of March 10, 1952
82nd-2nd, No. 38

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HIGHLIGHTS: House received USDA's flood control report on Grand (Neosho) River watershed; to Public Works Committee. Rep. D'Ewart described Canadian foot-and-mouth disease outbreak and control measures taken. Sen. Williams criticized Secretary's handling of grain storage and inserted various letters and statements. Rep. Rabaut inserted and commended Secretary's press release on grain storage. Sen. Murray inserted Secretary Tobin's farm-labor speech.

HOUSE

1. THIRD SUPPLEMENTAL APPROPRIATION BILL, 1952. The Appropriations Committee reported this bill, H. R. 6947 (H. Rept. 1503) (actually reported Mar. 7) (p. 2094). For provisions of the bill see Digest 37.

2. FLOOD CONTROL. Received from this Department a survey report on the Grand (Neosho) River watershed, Ark., Kans., Mo., and Okla. (H. Doc. 388); to Public Works Committee (p. 2094).

3. FOOT-AND-MOUTH DISEASE. Rep. D'Ewart, Mont., described the recent outbreak of this disease in Saskatchewan Province, Canada, and the methods that have been employed thus far to control and eradicate it (pp. 2091-2).

4. DAYLIGHT SAVINGS TIME. Passed as reported S. 2667, to authorize the Board of Commissioners of D. C. to establish daylight saving time for the District during 1952 (pp. 2089-91).

5. FOREIGN AID. Received from the President the first report on the mutual security program (H. Doc. 371); to Foreign Affairs Committee (p. 2079). Rep. Priest inserted the President's recent radio address requesting continuation of the mutual security program (pp. 2079-81).

6. VEHICLES; FURNITURE. The Holifield Subcommittee of the Expenditures in Executive Departments Committee approved for reporting to the full committee H. R. 4924, amended, "to authorize the Administrator of General Services to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles" (p. D189).

7. PROPERTY. The Holifield Subcommittee of the Expenditures in Executive Departments Committee approved for reporting to the full committee H. R. 5350, amending the Federal Property and Administrative Services Act with regard to excess and surplus Government property and Government records (p. D189).

SENATE

8. GRAIN STORAGE. Sen. Williams criticized the CCC grain storage program and inserted a Washington Evening Star article, a Farm Journal editorial, and correspondence with Sec. Brannan and other officials of the Department and officials of other Federal agencies concerning the Camp Crowder leases (pp. 2038-43).

9. REORGANIZATION. The Government Operations Committee reported without amendment S. Res. 285, disapproving Reorganization Plan No. 1 on the Bureau of Internal Revenue. Sen. Humphrey (for himself and Sens. O'Conor, Monroney, and Moody) minority views. (S. Rept. 1259, parts 1 and 2, p. 2024.)

10. PUERTO RICO. Sen. Brewster and others discussed the political and economic affairs of Puerto Rico, particularly the inducements of low-cost labor and tax exemptions which seem to be luring industry from the continental U. S., and criticized the Puerto Rican administration's methods of industrializing the Islands (pp. 2028-36).

11. MILITARY TRAINING. Sens. Johnson (Colo.) and Cain discussed the universal military training bill and the possibility of its becoming law (pp. 2036-8).

12. BUDGETING; TAXATION. Sen. Humphrey inserted his statement discussing the Federal Budget, taxes, and the American economy. He recommended passage of bills to provide for a Joint Budget Committee, make some general revisions in the budgetary procedure, and to plug the loopholes in the tax laws and thereby increase revenue. He inserted tables on national income and proposed Government expenditures in 1953.(pp. 2053-62).

BILLS INTRODUCED

13. PROPERTY. S. Res. 291, by Sen. Kem, directing the Government Operations Committee to investigate disposal of surplus Government property; to Government Operations Committee. Remarks of author, including text of resolution. (pp. 2025-6).

14. PERSONNEL. S. 2820, by Sen. Johnston, to amend Sec. 1310 of the Supplemental Appropriation Act, 1952, the so-called Whitten rider regarding appointments, promotions, etc.; to Post Office and Civil Service Committee (p. 2024).

H. R. 6964, by Rep. Walter, Pa., to prevent the infiltration of subversive persons into Government employment; to Judiciary Committee (p. 2095).

15. TRANSPORTATION. H. R. 6962, by Rep. O'Hara, Minn., to amend the Interstate Commerce Act to alleviate shortages in railroad freight cars and other vehicles during periods of emergency; to Interstate and Foreign Commerce Committee (p. 2095).

16. EDUCATION. H. R. 6963, by Rep. Smith, Va., to provide that in certain cases education facilities on Federal property shall continue to be available to children residing in adjacent areas until June 30, 1954; to Education and Labor Committee (p. 2095).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 18, 1952
For actions of March 17, 1952
82nd-2nd, No. 43

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HIGHLIGHTS: House committees reported bills to repeal provision for excess peanuts, to authorize research on fresh water from sea water, and to amend GSA Act. House sent to conference bill for loyalty investigations by CSC. Rep. Poseno introduced revised bill to aid small reclamation projects. Sen. Carlson expressed fear of grain transportation shortage and inserted PMA's letter.

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SENATE

1. GRAIN TRANSPORTATION. Sen. Carlson expressed fear of another boxcar shortage this year and inserted a letter from PMA Administrator Geissler on this matter (pp. 2386-7).

2. APPROPRIATIONS; CLAIMS. Received from the President a supplemental appropriation estimate for judgments rendered against the U. S. (S. Doc. 108); to Appropriations Committee (p. 2379).

3. AGRICULTURE CENSUS. Received from the Commerce Department a proposed bill to amend Sec. 16 of the act relating to a mid-decade census of agriculture; to Post Office and Civil Service Committee (p. 2379).

4. WATER RIGHTS. Received a Mich. Legislature resolution objecting to Defense Department "encroachments" of the water rights of communities (p. 2380).

5. PERSONNEL. Received a Colo. Legislature resolution favoring legislation to provide that supervisory personnel of the Federal Government not be classified on the basis of the number of people they supervise (p. 2380).

Sen. Watkins discussed the UPWA and criticized its "subversive" activities during a discussion of citation of Abram Flaxer for contempt of the Senate (pp. 2427-33).

6. MEAT IMPORTS. Sen. Wiley inserted a Green Lake County Farm Bureau resolution asking for protection against importation of meat from foot-and-mouth disease

areas of Canada and Mexico (pp. 2380-1).

7. LAND ACQUISITION. Sen. Hendrickson inserted various statements opposing Federal acquisition of land beyond its actual needs (p. 2381).

8. DEFENSE PRODUCTION. Both Houses received Progress Report 14 from the Joint Committee on Defense Production (S. Rept. 1310, H. Rept. 1528)(pp. 2383, 2472).

9. TRANSPORTATION. Sen. Johnson submitted amendments which he intends to propose to S. 2357, to amend the Interstate Commerce Act to restrict the application of the agricultural and fish exemption for motor carriers, and S. 2364, to authorize ICC to revoke or amend, under certain conditions, water carrier certificates and permits (p. 2386). House

10. LOYALTY INVESTIGATIONS. Reps. Murray of Tenn., Morrison, and Rees of Kans. were appointed House conferees on S. 2077, to provide for loyalty investigations by the Civil Service Commission instead of the FBI (p. 2437). Senate conferees were appointed Mar. 14.

11. DAILY DIGEST. Rep. Priest, Tenn., commended the "Daily Digest" in the back of each Congressional Record (p. 2437).

12. PRICE CONTROL. Rep. Curtis, Nebr., referred to OPS checks to see what articles are selling above ceilings, and he said they should also check to see what items are selling below ceilings (p. 2439).

13. PUBLIC LANDS. Passed as reported H. R. 3166, to amend the Recreation Act of 1926 to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes (pp. 2445-6).

14. PEANUT QUOTAS. The Agriculture Committee reported without amendment H. R. 6375, to repeal the provision permitting marketing of peanuts in excess of quotas, for oil (H. Rept. 1518)(p. 2472). Rep. Wheeler, Ga., asked unanimous consent for consideration of S. 2697, the companion bill, but Rep. Sikes objected (p. 2447).

15. TAXATION. Rep. Mason, Ill., spoke in favor of a limitation on Federal taxes (pp. 2455-7).

16. WATER RESEARCH. The Interior and Insular Affairs Committee reported with amendment H. R. 6578, to provide for research into and demonstration of practical means for the economical production, from sea or other saline waters, of water suitable for agriculture, industrial, municipal, and other beneficial consumptive uses (H. Rept. 1519)(p. 2472).

17. PROPERTY MANAGEMENT. The Expenditures in the Executive Departments Committee reported with amendment H. R. 4924, to provide for GSA control over acquisition and assignment of passenger vehicles and office furniture and equipment (H. Rept. 1523), and H. R. 5350, to amend the Federal Property and Administrative Services Act in several respects (H. Rept. 1524)(p. 2472).

18. INDEPENDENT OFFICES APPROPRIATION BILL, 1953. This bill, which was reported Mar. 14 during adjournment, is H. R. 7072 (H. Rept. 1517)(p. 2472).

19. LATIN AMERICA. The Interstate and Foreign Commerce Committee submitted an interim report on "Commerce with Latin America" (H. Rept. 1527)(p. 2472).

82D CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1524

AMENDING THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED, IN SEVERAL PARTICULARS

MARCH 17, 1952.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DAWSON, from the Committee on Expenditures in the Executive Departments, submitted the following

REPORT

[To accompany H. R. 5350]

The Committee on Expenditures in the Executive Departments, to whom was referred the bill (H. R. 5350) to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The committee amendments are as follows:

Page 2, immediately following line 2, insert the following new subsections:

(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2),".

(d) By deleting the third sentence of section 109 (a).

Page 2, line 3, strike "(c)" and insert in lieu thereof "(e)".

Page 2, line 4, strike "(d)" and insert in lieu thereof "(f)".

Page 2, line 8, strike the word "Federal" and insert in lieu thereof the word "executive".

Page 2, line 16, immediately following "(b)", insert the following language:

or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597; 31 U. S. C. 841), or is an organization specified in section 109 (f).

Page 2, lines 22 and 23, and page 3, lines 1 and 2, strike these four lines.

Page 3, line 3, strike "(f)" and insert in lieu thereof "(g)".

Page 3, line 5, immediately following the word "and" insert the word "to".

Page 3, line 7, strike "(g)" and insert in lieu thereof "(h)".

Page 3, lines 9 through 14, strike all these lines to and including the word "Administrator" in line 14 and insert in lieu thereof the following:

(i) By striking from section 203 (e) the words "December 31, 1950" and inserting in lieu thereof the words "June 30, 1953".

Page 3, line 17, strike "(i)" and insert in lieu thereof "(j)".

Page 3, lines 20 and 21, strike these lines.

Page 3, immediately following line 23, insert the following new subsection:

(l) By adding a new subsection (f) to section 210, to read as follows:

"(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. There is authorized to be appropriated to said fund such sums as may be required, and any stocks of supplies and any equipment, available for buildings management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: *Provided,* That said fund shall be credited with (1) annual advances for nonrecurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: *Provided further,* That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided further,* That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 245), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury."

Page 4, line 1, strike "(l)" and insert in lieu thereof "(m)".

Page 4, line 3, strike "(m)" and insert in lieu thereof "(n)".

Page 4, line 11, strike "(n)" and insert in lieu thereof "(o)".

Page 4, line 16, strike "(o)" and insert in lieu thereof "(p)".

PURPOSE

The proposals in this bill for amendment of the Federal Property and Administrative Services Act of 1949, as amended, were recommended to the committee by the Administrator of General Services. Under section 212 of that act, as amended, the Administrator is required to submit to the Congress, from time to time, such recommended amendments as he considers appropriate on the basis of actual administrative experience, including consultation with other interested agencies.

Four of the recommended amendments are substantial: they relate to an increase in the capital of the General Supply Fund, greater flexi-

bility in determining the amount of reimbursement for transfers of excess property among executive agencies, more latitude in the negotiation of sales of surplus property, and the establishment of a Buildings Management Fund. In addition, the bill includes a dozen or so minor or perfecting amendments.

GENERAL STATEMENT

Hearings on H. R. 5350 were held by the Subcommittee on Executive and Legislative Reorganization. The Administrator of General Services and others from that agency testified, as well as representatives of the Bureau of the Budget and the General Accounting Office.

Both the Bureau of the Budget and the Comptroller General of the United States have endorsed the bill, with the committee amendments, as here reported.

Adding value of inventories to General Supply Fund

The General Supply Fund is the working capital used by the General Services Administration to supply common-use items directly to Government agencies. The authorized capital of the fund is presently limited to $75,000,000, of which approximately $44,000,000 has been appropriated. Both the authorized and the appropriated amounts are considered inadequate if the Administrator of General Services is to achieve the supply goals intended for him by the President and the Commission on Organization of the Executive Branch.

The amendments to section 109 (a) of the act would remedy this inadequacy in two ways: by authorizing the Administrator to add to the fund the amounts of inventories taken over from agencies and by removing the present statutory ceiling on the fund.

Under section 201 (a) (2) the Administrator has the authority to take over and operate the warehouses, supply centers, repair shops, fuel yards, and other similar facilities of executive agencies. Whenever he takes over such a facility, he must also take over the inventory and thereafter continue to supply the affected executive agency. Your committee views with favor take-overs and consolidations of existing supply operations in order to realize such benefits as the reduction of inventories for like items, the elimination of overlapping or duplicate supply facilities, and the consolidation of purchases for similar supplies and equipment.

It is thoroughly consistent with the best private business and financing practices that upon any such take-over the amount of the inventory be added to the amount of the working capital. The first suggested amendment to section 109 (a) would accomplish that purpose.

According to testimony by representatives of the General Services Administration before this committee, plans are rapidly crystallizing for that Administration to expand its operations substantially in connection with the furnishing of common-use items to the several military departments. These plans have the backing of the Bureau of the Budget and are recommended by the Subcommittee on Intergovernmental Relations.[1] The value of present military inventories of common-use items is unknown but a conservative estimate places it far in excess of the present $75,000,000 limitation on the capital

[1] See Federal Supply Management, H. Rept. No. 658, 82d Cong., 1st sess.

of the General Supply Fund. The second suggested amendment to section 109 (a) would remove this limitation.

Modifying reimbursement provision for transfers of excess property

Under existing law, reimbursement is required, with limited exceptions, for transfers of excess property between Federal agencies; the amount of reimbursement generally must be deposited in miscellaneous receipts. The next major amendment, to revise section 202 (a), would promote greater utilization of excess property, by permitting the Administrator to determine, with the approval of the Director of the Bureau of the Budget, the extent to which reimbursement for such excess will, or will not, be required from executive agencies.

This will avoid the need for special legislation, so frequently required in the past, to accomplish particular real property transfers without reimbursement. The amendment would permit better-quality available excess items to replace old items in poor condition, thus allowing the disposal as surplus of the outmoded equipment and reducing procurement of new property. Without such flexibility, available excess would have to be disposed of either by donation for educational or public-health purposes or by sale unless another agency had an immediate or reasonably foreseeable need. The amendment would also facilitate use of excess property in the supply of furniture and furnishings for Government office buildings; the transfer of small lots of excess items where the cost of processing transfer documents is out of proportion to the value of the property; and, as now provided in the act, to the taking of excess items into General Services Administration supply centers for later redistribution to agencies.

It is intended that when regulations are developed to implement this section, in collaboration with the Bureau of the Budget, due regard will be given to procedures that will either preclude undue augmentation of specific appropriations provided for the acquisition of property or take into account in subsequent appropriations prior transfers of excess property. Your committee also intends that transfers of excess property by the Administrator be carefully related to the actual supply needs and inventory situation in the receiving agency.

The provisos in this section insure certain safeguards. There must be reimbursement whenever net proceeds are requested pursuant to section 204 (b) (when property was originally acquired by the use of reimbursable funds or funds not appropriated from the general fund of the Treasury). By a committee amendment, similar reimbursement will be required when transfers are made to or from wholly owned Government corporations and those organizations specified in section 109 (f) (principally mixed-ownership Government corporations and the government of the District of Columbia). Another proviso also makes it clear that excess property that has been taken into supply centers of the General Services Administration for redistribution shall be retransferred to agencies at prices fixed by the Administrator.

Extending time for negotiated sales of surplus property

We discuss next the amendment designed to provide greater flexibility in negotiating sales of surplus property. Under the Surplus Property Act of 1944, as amended, the War Assets Administrator was given unlimited discretionary authority to negotiate sales. That broad power was obviously necessary to accomplish the tremendous

task of liquidating the surplus generated by World War II. When the Federal Property and Administrative Services Act became law on July 1, 1949, provision was made in section 203 (e) to continue the authorization to negotiate until December 31, 1950. Thereafter sales were required to be made by advertising for competitive bids in accordance with the general law. The Administrator of General Services has informed the committee that his present lack of authority to negotiate sales has rendered difficult the disposal of some industrial and other real property and has added to the cost of disposing of small lots of surplus personal property. Your committee is not unsympathetic to his problem and considers that some greater freedom in negotiating sales would benefit the public interest. In the opinion of the committee, however, the language in the proposed bill is entirely too broad because it would grant unlimited discretionary authority as part of permanent legislation. Before too long this country may again be presented, as it was after World War II, with a vast surplus property disposal problem. Studies and plans should be made now and new legislation enacted not later than the first session of the next Congress to provide an orderly means of handling the problem. Meanwhile, on an interim basis, your committee proposes, by its amendment, to grant a new extension of the authority to negotiate until June 30, 1953. The committee has also added a proviso requiring that an explanatory statement be preserved in the file in all cases where negotiated disposal occurs.

Buildings Management Fund

The fourth substantial amendment provides for the establishment of a buildings management working capital fund. It is strongly recommended by the Administrator of GSA and the Commissioner of the Public Buildings Service. That Service has, for many years, performed certain buildings management services for other Federal agencies on a reimbursable basis. The services rendered consist of two types; i. e., nonrecurring and recurring. A typical example of nonrecurring service rendered by GSA to another Federal agency is making building alterations to suit the convenience of the tenant-agency. An example of the recurring type of service furnished is GSA operation of Nation-wide teletypewriter service for the use of all agencies. It is estimated that during fiscal year 1953 GSA will provide services reimbursable from funds of other agencies to the extent of $40,000,000.

There has been a trend in Government financing toward the establishment of working capital funds for those Government operations which are business type by nature. Experience has shown that where one agency provides services to others subject to reimbursement of actual or estimated costs thereof, both operations and accounting therefor are facilitated by the use of a working capital fund. Recent examples of legislative recognition of this fact have been the establishment of working capital funds for the Bureau of Engraving and Printing and the Bureau of Standards to finance the reimbursable services performed by those agencies.

Financing all buildings management operations from one fund would simplify the administrative processes of estimating and justifying future fund requirements for such purposes and would present financial requirements for these operations in one place in the budget document.

This, of course, would make less burdensome the review of estimates for these purposes by the Congress.

The accounting and reporting processes would be simplified and conducted more economically since the number of accounts could be reduced if buildings management operations were initially financed from one fund. Reduction in the number of accounts produces the byproduct of more economical and effective reporting. Billing other agencies for service rendered would also be simplified inasmuch as service rates could be established on the basis, in part, of historical costs accumulated in one set of buildings management cost accounts.

Reimbursable buildings management services are presently financed from the annual operating appropriation to GSA. This method of financing causes difficulties near the end of each fiscal year due to the fact that there is an unavoidable time lag between the date a service is rendered and paid for by GSA and the date on which the agency served reimburses GSA. This situation operates against prompt payments to lessors, vendors, and contractors near the end of each year.

The principal purpose served by the first proviso in the proposed language of the amendment is to permit the crediting of advances to the proposed working-capital fund. Such permission will reduce the amount of appropriated capital which will be required to operate such fund. In other words, day-to-day working capital requirements can be partially met by obtaining cash—from at least the larger service-using agencies—prior to rendering and paying for such services by GSA.

The second proviso requires the transfer of net income of any year, if any, to the general fund of the Treasury. While the General Services Administration as a matter of policy would attempt to charge service-using agencies in amounts which would exactly cover the cost of services performed, the results of any miscalculations in this regard could never benefit the Administration.

The third proviso (1) continues the use of a special fund created by the Congress for both collections and expenditures in connection with the lease of Government-owned space to commercial concerns in the Lafayette Building in the District of Columbia, (2) continues the use of a special fund created by the Congress for both collections and expenditures in connection with buildings sites acquired by the Administration for construction purposes where construction is not immediately started after acquisition of the site and the site is leased by the Administration to others for income-producing purposes, and (3) continues the requirement of depositing in the general fund of the Treasury any receipts from activities which by operation of other law must be so deposited (for example, proceeds from pay telephone stations in Government buildings).

The proposed amendment places no limit on the capital of the fund. The committee feels that this matter should be left to the Appropriations Committee which can assure that the amount of capital is limited to the need therefor. Representatives of GSA testified that the capital requirement is estimated to be approximately $7,000,000.

Technical perfecting amendments

As previously stated, the bill includes a number of additional minor or perfecting amendments.

As further explained in the section-by-section analysis attached to this report, improved treatment is given the disposal of excess lands originally withdrawn from the public domain. The surcharge is removed from the supplies and services furnished by GSA to the District of Columbia, mixed-ownership Government corporations, and certain cooperating non-Federal agencies. This will eliminate the present need for keeping two sets of books. Another amendment would require executive agencies to utilize standardized contracts, forms, and procedures. Your committee considers that the general use by all executive agencies of the same contract forms and procedures will save money for the taxpayers and will give small business a greater opportunity to do business with the Government.

The Administrator is presently authorized to accept for deposit in the National Archives from private sources motion-picture films, still pictures, and sound records that have historical value. Another amendment would permit the Administrator to accept, also, other documentary materials. The relationship between the Administrator, the Archivist, and the National Historical Publication Commission remains unchanged.

In addition the technical perfecting amendments would (*a*) make clear the authority of the Administrator to preserve and exhibit documentary materials in the National Archives and to prepare guides and finding aids to Federal records; (*b*) extend the definition of contractor inventory to property which the Government has the option to purchase; (*c*) discontinue reassignment reports to the Bureau of the Budget; (*d*) make uniform the use of the term "property" throughout the act; (*e*) and clarify the existing authority of the Administrator to negotiate contracts when otherwise authorized by law.

The committee proposes to strike out several amendments which would extend authority under the act to the legislative and judicial branches. The committee finds that the volume of supply activities among these agencies is small and would not, without further study, justify any extension of GSA authority into legislative and judicial supply operations.

SECTION-BY-SECTION ANALYSIS

Section 1

(a) This subsection refines the definition of the term "property" as used in the act. Under the present definition the public domain is not property within the meaning of the act. The subsection would provide that lands previously withdrawn or reserved from the public domain for other governmental use should also be treated as public domain and not as property under the act when the Administrator, with the concurrence of the Secretary of the Interior, determines that they are suitable for return to the public domain for disposition under the general public land laws. Lands so reserved or withdrawn would be treated as property subject to the act in the absence of such a determination. It is believed that excess lands, originally withdrawn or reserved from the public domain, which are unimproved or contain only minor improvements, can more effectively be disposed of under the public land laws, which operate with respect to the balance of public domain lands. More extensively improved lands can probably be better disposed of under the subject act. This subsection will allow the two land-disposal agencies concerned to determine and select the

more suitable method of disposal. Similar authority was contained in section 3 (d) of the Surplus Property Act of 1944 (58 Stat. 767).

(*b*) This subsection makes a technical improvement in the definition of "contractor inventory." The usual contractual provision covering termination for the convenience of the Government permits the Government to acquire any property produced, delivered, or ordered in connection with the contract. Contractor inventory, as used in contracts, therefore includes property which the Government has an option to acquire. As presently defined in the act, the term includes only property title to which is vested in the Government and property which the Government is obligated to take. The subsection would amend the definition to include the "option" property and thus make it subject to the provisions of section 203 (f) governing the disposal of contractor inventory. It would also make the "option" property more clearly subject to regulation by the Administrator whereby it can be brought within the Federal utilization program. For example, strategic and critical materials available to the Government under the contract provision can be forbidden to be retained by the contractor so that these materials may be acquired by the Government and used in its defense supply procurement program.

(*c*) This subsection is an amendment proposed by the committee to increase the capital of the General Supply Fund by the value of personal property inventories from time to time transferred to the General Services Administration by other executive agencies, as authorized by section 201 (a) (2) of the act. As explained further above, the committee believes this amendment will promote a more effective Federal supply system through greater utilization of existing Government supply inventories and expansion of the consolidated procurement operations carried on by the General Services Administration through the General Supply Fund.

(d) This subsection was likewise prepared as an amendment by the committee to remove the present $75,000,000 limitation on the size of the General Supply Fund capital. As explained above, this statutory maximum hampers the effective use of the authority (provided in the preceding subsection) to add to the fund the value of inventories taken over.

(e) By deleting the proviso contained in section 109 (f) of the act, this subsection would remove the special surcharge assessed against mixed-ownership Government corporations, the District of Columbia, and certain cooperating non-Federal agencies which may procure supplies and services from the General Services Administration. These organizations would then pay the same price as Federal agencies for similar supplies and services received from the General Services Administration. Federal and District of Columbia finances and operations are still interrelated, as indicated by the annual appropriations made by the Federal Government to the District of Columbia, the free services provided the District of Columbia by the United States Civil Service Commission and the Department of the Treasury, the term contracts made by the District of Columbia for such items as sand and gravel, slag, concrete, and cement, under which contracts Federal agencies are expressly authorized to buy, and the contribution by the District of Columbia of over $350,000 toward the construction of the Government fuel yards, now operated by the General Services Administration in the District of Columbia. Prices to be charged the

District of Columbia should be reconsidered whenever the relationship between the two governments is readjusted.

Sales made by the General Services Administration during the fiscal year 1951 to mixed-ownership Government corporations and to cooperating non-Federal agencies, principally State and local governments acting under cooperative agreements with the Federal Government in fighting and controlling fires, amounted to less than $42,000, and involved about 200 invoices and a special surcharge of about $800. Administrative expense and considerable additional effort, which could have been more productively applied, went into the determination of this special surcharge and its collection. It was necessary to compute the indirect and overhead costs allocable to such sales, review the computation to keep it currently exact, bill the surcharge as a separate item, maintain accounting and statistical records of the surcharge, and train personnel in the central and regional offices of the General Services Administration concerning the amount of surcharge, its separate billing and recording, and the agencies affected. Such special pricing, accounting, and training appear unduly costly and bothersome in view of the small amount of money involved and the kinds of agencies concerned.

(f) This subsection authorizes the Administrator of General Services to prescribe policies and methods to increase utilization of excess property by executive agencies. He is directed to provide for transfers of such property among Federal agencies and to the District of Columbia government, mixed-ownership Government corporations, and certain indicated non-Federal agencies. The extent of reimbursement to be made for such transfers shall be determined by the Administrator, with the approval of the Director of the Bureau of the Budget. The subsection originally required, however, that reimbursement be made where the transferred property was acquired through revolving or nonappropriated funds or would be redistributed through the supply centers of the General Services Administration. The committee has added two more situations where reimbursement will be required: on transfers to the District of Columbia government, mixed-ownership Government corporations, or certain indicated non-Federal agencies and on transfers to or from agencies subject to the Government Corporation Control Act. As further explained above, this amendment by the committee will better maintain the integrity of Government corporation accounts and will obtain for the Government fair market value for excess property made available to the District of Columbia government and the indicated non-Federal agencies.

(g) This subsection, like the revision in this respect contained in subsection (f), would authorize transfer of excess property to the District of Columbia government, mixed-ownership Government corporations, and certain indicated non-Federal agencies. Since the Administrator is directed by section 201 (b) of the act to procure supplies and services for these organizations, this subsection authorizes furnishing to them excess property from an additional and economical source, which likewise reduces the Government's surplus property disposal operation. There is thus restored to the District of Columbia government authority to receive Federal excess property, which was temporarily curtailed because of certain technical repeals

made by Public Law 247, Eighty-second Congress (sec. 1 (130) and (131)).

(h) This subsection repeals certain provisions of the act, as explained:

Section 202 (d).—In view of the legislation establishing the Department of Defense, this authority with respect to the departments of the National Military Establishment is no longer necessary. Reassignments of property among the military departments and activities of the Department of Defense can be accomplished under the provisions of section 202 (c) of the act. Moreover, the limitation in section 202 (d) to "existing provisions of law and procedures" would unduly restrict reassignments within the Department of Defense.

Section 202 (e).—The effect of the repeal of this provision has been considered above, in connection with subsection (f) hereof.

Section 202 (f).—This proposed repeal is technical, not substantive. Reports of reassignments or transfers of property between agency activities financed by different appropriations can be required by the Director of the Bureau of the Budget, at his discretion, under the recently enacted Budget and Accounting Procedures Act of 1950 (Public Law 784, 81st Cong.). Special reference to reporting such information to Congress can be deleted without detriment to the public service.

Section 309 (b).—The effect of the repeal of this provision is discussed below, in connection with subsection (m) hereof.

(i) This subsection extends to June 30, 1953, authority which expired December 31, 1950, to make disposals of surplus property without advertising. Where negotiated disposals occur, an explanatory statement must be preserved in the file of each case. As explained above, provision is thus made for businesslike disposals of surplus property after considered selection of the appropriate method.

(j) This subsection substitutes an "or" for an "and" for clarification in section 203 (k) (2) (iii). In the case of transfers of surplus property for health, education, and similar public purposes section 203 (k) (2) of the act authorizes releases from reservations and restrictions in the original conveyance and transfers of any reserved interest upon a determination that the property no longer serves the purpose for which it was transferred *and* that such release or conveyance will not prevent the accomplishment of such purpose. The use of the word "and" rather than "or" was apparently a drafting error, as cases may arise where the property is still serving the purpose of the transfer and yet the release is necessary to permit the full accomplishment of that purpose; e. g., where property transferred for a hospital must be released from a reverter clause before a financing institution is willing to accept a mortgage on the property as security for a loan to construct an addition to the hospital.

(k) This subsection is a perfecting amendment to clarify the authority under sections 205 and 206 (a) to prescribe standardized forms and procedures (except such as the Comptroller General is authorized to prescribe) for executive agencies.

(l) This subsection, proposed as an amendment by the committee, authorizes the Secretary of the Treasury to establish on request of the Administrator of General Services during the fiscal year 1953 a Buildings Management Fund without fiscal year limitation for expenses of buildings management operations and related services per-

formed by the General Services Administration. The capital of the fund will consist of such funds as may be appropriated therefor and all stocks of supplies and equipment related to such buildings management functions. The fund shall be credited with related advances and reimbursements as specified, including reimbursements and recoveries resulting from its operations. Any net income of the fund, after providing for prior year losses, will annually be deposited in the Treasury as miscellaneous receipts. Certain buildings programs operated as provided in the acts specified in the final proviso of this subsection are excluded from the operation of the fund. As explained above, this subsection is designed to improve the management, financing, and accounting with respect to the buildings management operations of the General Services Administration.

(m) This subsection, together with the repeal of section 309 (b) of the act proposed by subsection (h) above, would make the terminology of title III of the act consistent with the terminology employed elsewhere in the act, by substituting the term "property" for the term "supplies." It would also remove a definition of "supplies" which is not technically exact and which was inserted merely to prescribe the scope of the title. The substitution of the term "property" for "supplies" would also make the procedures provided by this title applicable to the procurement of land by the General Services Administration and other agencies to which authority to use the procedures is delegated, but only to the extent that authority to acquire land is granted under other law.

(n) This subsection makes a technical clarification, by substituting reference to section 302 (c) of the act for section 3709, Revised Statutes, as amended, whenever the latter is cited in any law affecting the procurement of property or services by the General Services Administration. Section 3709 is the general statute requiring advertising except in certain specified cases. Authority to negotiate and enter into contracts generally without advertising is frequently granted by providing that contracts may be made "without regard to" the provisions of section 3709. Section 310 of the act made section 3709 inapplicable to the General Services Administration since title III, particularly section 302 (c), provides somewhat more liberal exceptions from the advertising requirement. However, where the Congress has previously granted a complete exemption from the advertising requirement by authorizing the making of contracts without regard to the provisions of section 3709, as in the Strategic and Critical Materials Stockpiling Act, it was certainly not intended by the enactment of the Federal Property and Administrative Services Act to make contracts under the former act subject to the restrictions of section 302 (c). This subsection provides, in effect, that when section 3709 is inapplicable to a certain type of contract, section 302 (c) shall likewise be inapplicable to that type of contract when made by the General Services Administration.

(o) This subsection clarifies the authority of the Administrator to preserve, duplicate, and exhibit documentary material, such as the personal papers of the President and other Government officials specified in section 507 (e) of the act. This documentary material may not technically constitute "records" when transferred, but becomes so when accepted. The subsection also authorizes the Administrator to prepare guides and other finding aids to Federal records which may not

have been transferred to him. Such authority has been included in annual appropriation acts for some years. Permanent authority will promote better records management.

(p) This subsection, by inserting the term "documents," clarifies the authority of the Administrator to accept from private sources appropriate documentary material relating to the operations of the Government. The law at present provides that he may accept motion-picture films, still pictures, and sound recordings. The amendment would authorize acceptance of documents, including motion-picture films, etc.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

SEC. 3. As used in this Act—

* * * * * * *

(d) The term "property" means any interest in property of any kind except (1) the public domain (*including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws*) and lands reserved or dedicated for national forest or national park purposes: (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines; and (3) records of the Federal Government.

* * * * * * *

(k) The term "contractor inventory" means (1) any property acquired by and in the possession of a contractor or subcontractor under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete full performance under the entire contract; and (2) any property which the Government is obligated *or has the option* to take over under any type of contract as a result either of any changes in the specifications or plans thereunder or of the termination of such contract (or subcontract thereunder), prior to completion of the work, for the convenience or at the option of the Government.

* * * * * * *

SEC. 109. (a) There is hereby authorized to be set aside in the Treasury a special fund which shall be known as the General Supply Fund. Such fund shall be composed of the assets of the general supply fund (including any surplus therein) created by section 3 of the Act of February 27, 1929 (45 Stat. 1342; 41 U. S. C. 7c), and transferred to the Administrator by section 102 of this Act, [and] such sums as may be appropriated thereto, *and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2)*, and the fund shall assume all of the liabilities, obligations, and commitments of the general supply fund created by such act of February 27, 1929. [The capital of the General Supply Fund shall be in an amount not greater than $75,000,000.] The General Supply Fund shall be available for use by or under the direction and control of the Administrator (1) for procuring personal property (including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents) and nonpersonal services for the use of Federal agencies in the proper discharge of their responsibilities, and (2) for paying the purchase price, transportation to first storage point of supplies and services, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property.

* * * * * * *

(f) Subject to the requirements of subsections (a) to (e), inclusive, of this section, the General Supply Fund also may be used for the procurement of supplies and nonpersonal services authorized to be acquired by mixed-ownership Government corporations, or by the municipal government of the District of Columbia, or by a requisitioning non-Federal agency when the function of a Federal agency authorized to procure for it is transferred to the General Services Administration [: *Provided*, That the prices charged by the Administrator in such cases shall be fixed at levels which he estimates will be sufficient to recover, in addition to the direct costs of the procurement, handling, and distribution of such supplies and services, the indirect and overhead costs that the Administrator determines are allocable thereto].

* * * * * * *

SEC. 202. (a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies *and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: Provided, That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b).*

* * * * * * *

(c) Each executive agency shall, as far as practicable, * * * (2) transfer excess property under its control to other Federal agencies *and to organizations specified in section 109 (f)*, and * * *

* * * * * * *

[(d) Under existing provisions of law and procedures defined by the Secretary of Defense, and without regard to the requirements of this section except subsection (f), excess property of one of the departments of the National Military Establishment may be transferred to another department thereof.]

[(e) Transfers of excess property between Federal agencies (except transfers for redistribution to other Federal agencies or for disposal as surplus property) shall be at the fair value thereof, as determined by, or pursuant to regulations of, the Administrator, unless such transfer is otherwise authorized by any law approved subsequent to June 21, 1944, to be without reimbursement or transfer of funds.]

[(f) The Director of the Bureau of the Budget shall prescribe regulations providing for the reporting to said Director by executive agencies of such reassignments or transfers of property between activities financed by different appropriations as he shall deem appropriate, and the reassignments and transfers so reported shall be reported to the Congress in the annual budget or otherwise as said Director may determine.]

* * * * * * *

SEC. 203. (e) Unless the Administrator shall determine that disposal by advertising will in a given case better protect the public interest, surplus property disposals may be made without regard to any provision of existing law for advertising until 12 o'clock noon, eastern standard time, [December 31, 1950] *June 30, 1953: Provided, That an explanatory statement shall be preserved in the file of all cases where negotiated disposal occurs.*

* * * * * * *

SEC. 203. (k) (2) * * *

(iii) to (I) grant releases from any of the terms, conditions, reservations, and restrictions contained in, and (II) convey, quitclaim, or release to the transferee or other eligible user any right or interest reserved to the United States by, any instrument by which such transfer was made, if he determines that the property so transferred no longer serves the purpose for which it was transferred, [and] *or* that such release, conveyance, or quitclaim deed will not prevent accomplishment of the purpose for which such property was so transferred: * * *

* * * * * * *

SEC. 206. (b) Each Federal agency shall utilize such uniform Federal supply catalog system *and standardized forms and procedures* and standard purchase specifications, except as the Administrator, taking into consideration efficiency, economy, and other interests of the Government, shall otherwise provide.

* * * * * * *

SEC. 210. * * *

(f). There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. There is authorized to be appropriated to said Fund such sums as may be required, and any stocks of supplies and any equipment, available for buildings management functions of the General Services Administration, on hand, or on order, on the date of establishment of said Fund, shall also be used to capitalize the Fund: Provided, That said Fund shall be credited with (1) annual advances for non-recurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the Fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: Provided further, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: Provided further, That said Fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 844) or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 345), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury.

* * * * * * *

SEC. 301. The purpose of this title is to facilitate the procurement of [supplies] *property* and services.

SEC. 302. (a) The provisions of this title shall be applicable to purchases and contracts for [supplies] *property* or services made—

* * * * * * *

The Administrator may delegate to the head of any other such agency authority to make purchases and contracts for [supplies] *property* or services pursuant to the provisions of this title * * *

(b) It is the declared policy of the Congress that a fair proportion of the total purchases and contracts for [supplies] *property* and services for the Government shall be placed with small-business concerns. Whenever it is proposed to make a contract or purchase in excess of $10,000 by negotiation and without advertising, pursuant to the authority of paragraph (7) or (8) of section 302 (c) of this title, suitable advance publicity, as determined by the agency head with due regard to the type of [supplies] *property* involved and other relevant considerations, shall be given for a period of at least fifteen days, wherever practicable, as determined by the agency head.

(c) All purchases and contracts for [supplies] *property* and services shall be made by advertising, as provided in section 303, except that such purchases and contracts may be negotiated by the agency head without advertising if—

* * * * * * *

(3) the aggregate amount involved does not exceed $1,000: *Provided*, that no agency other than the General Services Administration shall make any purchase of, or contract for, [supplies] *property* or services in excess of $500 under this paragraph except in the exercise of authority conferred by the Administrator to procure and furnish [supplies] *property* and services for the use of two or more executive agencies;

* * * * * * *

(6) the [supplies] *property* or services are to be procured and used outside the limits of the United States and its possessions;

(7) for medicines or medical [supplies] *property;*

(8) for [supplies] *property* purchased for authorized resale;

(9) for [supplies] *property* or services for which it is impracticable to secure competition;

(10) the agency head determines that the purchase or contract is for experimental, developmental, or research work, or for the manufacture or furnishing of [supplies] *property* for experimentation development, research, or test: *Provided*, That beginning six months after the effective date of this title and at the end of each six month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this paragraph (10) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder;

(11) for [supplies] *property* or services as to which the agency head determines that the character, ingredients, or components thereof are such that the purchase or contract should not be publicly disclosed;

* * * * * * *

(13) for [supplies] *property* or services as to which the agency head determines that bid prices after advertising therefor are not reasonable (either as to all or as to some part of the requirements) or have not been independently arrived at in open competition: * * *

* * * * * * *

SEC. 303. Whenever advertising is required—

(a) The advertisement for bids shall be made a sufficient time previous to the purchase or contract, and specifications and invitations for bids shall permit such full and free competition as is consistent with the procurement of types of [supplies] *property* and services necessary to meet the requirements of the agency concerned.

* * * * * * *

SEC. 305. (a) The agency head may make advance payments under negotiated contracts heretofore or hereafter executed in any amount not exceeding the contract price upon such terms as the parties shall agree: *Provided*, That advance payments shall be made only upon adequate security and if the agency head determines that provision for such advance payments is in the public interest or in the interest of the national defense and is necessary and appropriate in order to procure required [supplies] *property* or services under the contract.

(b) The terms governing advance payments may include as security provision for, and upon inclusion of such provision there shall thereby be created, a lien in favor of the Government, paramount to all other liens, upon the [supplies] *property* contracted for, upon the credit balance in any special account in which such payments may be deposited and upon such of the material and other property acquired for performance of the contract as the parties shall agree.

* * * * * * *

SEC. 309. As used in this title—

(a) The term "agency head" shall mean the head or any assistant head of any executive agency, and may at the option of the Administrator include the chief official of any principal organizational unit of the General Services Administration.

[(b) The term "supplies" shall mean all property except land, and shall include, by way of description and without limitation, public works, buildings, facilities, ships, floating equipment, and vessels of every character, type and description (except the categories of naval vessels named in section 3 (d)), aircraft, parts, accessories, equipment, machine tools and alteration or installation thereof.]

SEC. 310. (*a*) The following provisions of law shall not apply to the procurement of [supplies] *property* or services (1) by the General Services Administration, or (2) within the scope of authority delegated by the Administrator to any other executive agency:

Revised Statutes, section 3709, as amended (41 U. S. C. 5);

Revised Statutes, section 3735 (41 U. S. C. 13);

Sections 1 and 2 of the Act of October 10, 1940 (54 Stat. 1109, as amended; 41 U. S. C. 6 and 6a).

(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act.

* * * * * * *

SEC. 507. (c) The Administrator shall make provisions for the preservation, arrangement, repair and rehabilitation, duplication and reproduction (including

microcopy publications), description, and exhibition of records *or other documentary material* transferred to him as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use; *and he may also prepare guides and other finding aids to Federal records* and, when approved by the National Historical Publications Commission, [he may also] publish such historical works and collections of sources as seem appropriate for printing or otherwise recording at the public expense.

* * * * * * *

(e) The Administrator may accept for deposit—

* * * * * * *

(2) *documents, including* motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

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Union Calendar No. 489

82D CONGRESS
2D SESSION

H. R. 5350

[Report No. 1524]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1951

MR. DAWSON introduced the following bill; which was referred to the Committee on Expenditures in the Executive Departments

MARCH 17, 1952

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, Eighty-first Congress), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws)".

(b) By inserting after "obligated" in section 3 (k) "or has the option".

(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2),".

(d) By deleting the third sentence of section 109 (a).

~~(c)~~ *(e)* By deleting the proviso in section 109 (f).

~~(d)~~ *(f)* By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by ~~Federal~~ *executive* agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: *Provided,* That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) *or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Con-*

trol Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b)."

~~(e) By striking "executive" wherever it apears in sections 200 (b), 202 (c), 203 (b), 203 (c), 203 (d), 203 (f), 204 (c), 205, 206 (a), 206 (c), and 207 and substituting therefor "Federal".~~

~~(f)~~ *(g)* By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and *to* organizations specified in section 109 (f), and".

~~(g)~~ *(h)* By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

~~(h)~~ *(i)* By ~~revising section 203 (c) so as to read:~~

~~"All disposals of surplus property, other than donations, authorized by the Administrator shall be made after such full and free competition as is consistent with the public interest and the circumstances, under regulations prescribed by the Administrator:~~ *striking from section 203 (e) the words "December 31, 1950" and inserting in lieu thereof the words "June 30, 1953: Provided,* That an explanatory

statement shall be preserved in the file of all cases where negotiated disposal occurs."

~~(i)~~ *(j)* By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that".

~~(j) By striking "an executive" in section 204 (d) and substituting therefor "a Federal".~~

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures".

(l) By adding a new subsection (f) to section 210, to read as follows:

"(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. There is authorized to be appropriated to said fund such sums as may be required, and any stocks of supplies and any equipment, available for buildings, management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: Provided, That said fund shall be

credited with (1) annual advances for nonrecurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: Provided further, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: Provided further, That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 245), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from

loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury."

~~(l)~~ *(m)* By striking "supplies" wherever it appears in title III and substituting therefor "property".

~~(m)~~ *(n)* By inserting "(a)" after "SEC. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act."

~~(n)~~ *(o)* By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records", and by deleting after "Commission" therein "he may also".

~~(o)~~ *(p)* By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings".

Union Calendar No. 489

82D CONGRESS
2D SESSION

H. R. 5350

[Report No. 1524]

A BILL

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

By Mr. DAWSON

SEPTEMBER 14, 1951

Referred to the Committee on Expenditures in the Executive Departments

MARCH 17, 1952

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 6, 1952
For actions of May 5, 1952
82nd-2nd, No. 75

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HIGHLIGHTS: Both houses received President's message recommending flood-insurance program. House passed additional extension-work authorization bill. House passed bill increasing GSA authority over vehicles and furniture. House received supplemental estimate for water conservation project and SCS flood rehabilitation. House received GAO report on 1949 CCC grain transactions. Senate referred foreign-aid bill to Armed Services Committee for further study. USDA appropriation bill referred to Senate committee.

HOUSE

1. FLOOD INSURANCE. Both Houses received the President's message recommending a flood-insurance program and transmitting a proposed bill to carry out his recommendation; to Banking and Currency Committees (H. Doc. 458). The proposed bill is printed in the Record. It authorizes RFC to provide either insurance or reinsurance against losses resulting from floods, with a maximum of $250,000 or 90%, whichever is lower; authorizes Federal agencies that make or guarantee loans to require borrowers to purchase flood insurance where it is available; and provides that the flood-insurance program be on an experimental basis for the first few years. (pp. 4870-2, 4831.)

2. EXTENSION WORK. Passed without amendment H. R. 6773, authorizing appropriation of $516,000 annually additional for agricultural extension work, in order to keep certain States from losing money because of new population figures in the 1950 census (pp. 4884-5).

3. VEHICLES; FURNITURE. Passed as reported H. R. 4924, to amend the Federal Property and Administrative Services Act so as to authorize GSA to establish and operate motor vehicle pools and systems and to provide office furniture and furnishing when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government vehicles, etc. (pp. 4875-6).

4. SOIL-CONSERVATION APPROPRIATIONS. Received from the President a supplemental appropriation estimate of $190,000 for the Angostura water conservation and utilization project and a proposed provision continuing the availability of SCS

flood-rehabilitation funds through December 1952; to Appropriations Committee (H. Doc. 454)(p. 4906).

5. GRAIN INVESTIGATION. Received from the Comptroller General a report of an investigation of a series of questionable grain transactions in 1949 between CCC and Cargill, Inc.; to Expenditures in the Executive Departments Committee (p. 4906).

6. FOREST LANDS. Concurred in the Senate amendment of the title of H. R. 4199, to authorize transfer of certain lands of the Blue Ridge Parkway from the Interior Department to the Agriculture Department for administration by the Forest Service (pp. 4872-3). This bill will now be sent to the President.

7. EDUCATION; ALASKA. Passed without amendment H. R. 6922, to amend Sec. 22 (relating to the endowment and support of colleges of agriculture and the mechanic arts) of the act of June 29, 1935, so as to extend its benefits to certain colleges in Alaska (p. 4883).

8. RECLAMATION; ELECTRIFICATION. Passed without amendment H. R. 2643, to consolidate the Parker Dam power project and the Davis Dam project (p. 4883).

9. WATER COMPACT. Passed without amendment S. 1798, to authorize Okla., Tex., and N. Mex. to enter a compact relating to Canadian River waters (pp. 4878-9). This bill will now be sent to the President.

10. ALASKA LANDS. Passed as reported H. R. 3382, to authorize the Interior Department to lease withdrawn or reserved public lands in Alaska for dock, wharf, and landing-site purposes (pp. 4883-4).

11. PURCHASING. Began debate on H. R. 7405, to provide for a single supply cataloging system in the Defense Department (pp. 4885-96).

12. INDIANS. The Interior and Insular Affairs Committee reported with amendment H. J. Res. 8, to direct the Interior Department to study the qualifications of Indians to manage their own affairs without Government supervision and control (H. Rept. 1841)(p. 4907).

13. BUILDINGS. H. R. 4323, to authorize GSA to enter long-term lease-purchase agreements, was stricken from the consent calendar at the request of Rep. Trimble (p. 4873). (This does not mean that the bill is defeated but merely that it will not be passed by unanimous consent on the calendar call.)

14. PURCHASING; BUILDINGS; PROPERTY MANAGEMENT. H. R. 5350, to make various amendments to the Federal Property and Administrative Services Act (including provisions regarding the General Supply Fund, sales of surplus property, a Buildings Management Fund, etc.), was passed over, on request of Rep. Cunningham, because "there are no departmental reports accompanying this bill" and "the Department of Defense is opposed to it" (p. 4876).

SENATE

15. AGRICULTURAL APPROPRIATION BILL. Referred this bill, H. R. 7314, to the Appropriations Committee (p. 4829).

16. FOREIGN AID. Adopted a motion to refer for further study S. 3086, to extend the Mutual Security Act for the fiscal year 1953, to the Armed Services Committee, with instructions to report the bill back by May 15. A motion to reconsider this vote was tabled. (pp. 4831-47.)

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMITTING PRISONERS COMMITTED BY STATE COURTS TO FEDERAL PRISONS

The Clerk called the bill (S. 2160) to authorize the Attorney General to admit persons committed by State courts to Federal penal and correctional institutions when facilities are available.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 401 of title 18 of the United States Code is hereby amended by adding at the end thereof, immediately after section 5002, a new section as follows:

"§ 5003. Cutody of State offenders.

"(a) The Attorney General, when the Director shall certify that proper and adequate treatment facilities and personnel are available, is hereby authorized to contract with the proper officials of a State or Territory for the custody, care, subsistence, education, treatment, and training of persons convicted of criminal offenses in the courts of such State or Territory: *Provided*, That any such contract shall provide for reimbursing the United States in full for all costs or other expenses involved.

"(b) Funds received under such contract may be deposited in the Treasury to the credit of the appropriation or appropriations from which the payments for such service were originally made.

"(c) Unless otherwise specifically provided in the contract, a person committed to the Attorney General hereunder shall be subject to all the provisions of law and regulations applicable to persons committed for violations of laws of the United States not inconsistent with the sentence imposed."

SEC. 2. The analysis of chapter 401 of said title 18 of the United States Code is amended by inserting at the end of such analysis a new item, "5003. Custody of State offenders."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H. R. 4924) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the transfer to the Administrator of General Services of functions relating to the acquisition and assignment of passenger-carrying motor vehicles and to the control of office furniture and equipment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong.) as amended, is amended by—

(a) redesignating section 210 thereof as originally enacted (redesignated as section 212 by section 5 (a) of Public Law 754, 81st Cong.) as section 214, and, wherever such section No. 210 appears in such act as originally enacted, it is amended to conform to the redesignation prescribed by this subsection;

(b) inserting in the table of contents appearing in the first section of such act, as amended by section 5 (b) of said Public Law 754, immediately after the line in which "SEC. 211." appears, the following:

"Sec. 212. Acquisition and assignment of passenger vehicles.
"Sec. 213. Control of office furniture and equipment.".

(c) inserting immediately after section 211 thereof, as amended by section 5 (c) of said Public Law 754, the following new sections:

"ACQUISITION AND ASSIGNMENT OF PASSENGER VEHICLES

"SEC. 212. All functions with respect to acquiring passenger-carrying motor vehicles by purchase or lease for use by executive agencies, and all functions with respect to assigning and reassigning such vehicles heretofore or hereafter acquired for use by executive agencies within the United States, its territories and possessions, are hereby transferred to the Administrator, who shall prescribe regulations governing the use, custody, repair, and disposition of, and accountability for, vehicles so assigned. The provisions of this section shall not apply to the Department of Defense, but this exemption shall not be construed as limiting any authority vested in the Administrator by other provisions of this or any other act with respect to motor vehicles used or to be used by the Department of Defense. For the purposes of this subsection the term 'passenger carrying motor vehicles' shall include, in addition to the standard types, busses, station wagons, carry-alls, suburbans, and all other types of motor vehicles primarily designed or equipped for carrying passengers, except such as the Administrator may by regulation specifically exempt herefrom.

"CONTROL OF OFFICE FURNITURE AND EQUIPMENT

"SEC. 213. The control, including custody, repair, disposition, and accountability, of all office furniture and furnishings and office equipment, owned or leased by any Federal agency, now or hereafter located on or within any building or space under the jurisdiction of the General Services Administration, is hereby transferred to the Administrator."

With the following committee amendment:

Page 1, line 6, strike out all of lines 6, 7, and 8, all of page 2, and all of page 3 down to and including line 17, and insert:

"(a) inserting the following new subsection in section 3:

"'(l) The term "motor vehicle" means any vehicle, self-propelled or drawn by mechanical power, designed to be operated principally on the highways in the transportation of property or passengers.'

"(b) deleting the word 'and' immediately preceding clause (2) of the final sentence of subsection (a) of section 109, and revising said clause (2) to read as follows: '(2) for paying the purchase price of supplies and services, transportation, including related costs, to first storage point from which redistribution is made to Federal agencies and their authorized representatives, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property,'

"(c) adding to clause 2 of the final sentence of subsection (a) of section 109, as revised, the following: 'and (3) for paying all elements of direct cost incident to the establishment and operation of motor vehicle pools or systems and pools of equipment for lease or rent to Federal agencies.'

"(d) revising the third sentence of subsection (b) of section 109 to read as follows: 'On and after July 1, 1950, such prices shall be fixed at levels so as to recover so far as practicable the applicable purchase price, transportation, including related costs, to first storage point from which redistribution is made to Federal agencies and their authorized representatives, inventory losses, the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and the cost of amortization and repair of equipment and all other elements of direct cost incident to the establishment and operation of motor vehicle pools or systems and pools of equipment for lease or rent to Federal agencies'.

"(e) changing the period at the end of subsection (b) of section 109, as revised, to a colon, and adding thereto the following: '*And provided further*, That the Administrator, in the operation of motor vehicle pools or systems, may make provision for the furnishing, sale, and use of scrip, tokens, tickets, and similar devices for utilization in the transportation of property or passengers'.

"(f) deleting the word 'and' before the word 'repairing' in subsection (a) (1) of section 201 and inserting in said subsection after the word 'converting' the following: ', maintenance and use of motor vehicles, and establishment and operation of motor vehicle pools or systems and pools of equipment for lease or rent to Federal agencies'.

"(g) inserting after 'facilities' in subsection (a) (2) of section 201 the following: ', pools of equipment for lease or rent to Federal agencies, and motor vehicles for the purpose of establishing and maintaining motor vehicle pools or systems to serve Federal agencies'.

"(h) by adding at the end of section 210 the following new subsection:

"'(f) Whenever an agency, in whole or in part, is required to move to another location, only such furniture and furnishings as the Administrator shall determine, and only such office equipment as the Administrator, after consultation with the head of the agency concerned, shall determine, cannot more economically and efficiently be made available at the new location, shall be moved. Remaining furniture, furnishings and equipment shall promptly be reported as excess property.'

"(i) by inserting after the period following the figure '211' in section 211 the letter '(a)', and adding at the end of said section the following new subsection:

"'(b) Whenever, during the regular course of his duties, there shall come to the knowledge of the Administrator any violation of the provisions of section 5 of the act of July 16, 1914, as amended (5 U. S. C. 78), or of section 641 of the Criminal Code (18 U. S. C. 641) involving the conversion by a Government official or employee of a Government-owned or leased motor vehicle to his own use or the use of others, the Administrator shall report such violation to the head of the agency in which the official or employee concerned is employed, for further investigation and either appropriate disciplinary action under said section 5 or, where appropriate, referral to the Attorney General for prosecution under said section 641'."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishing when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and for other purposes."

A motion to reconsider was laid on the table.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H. R. 5350) to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, there are no departmental reports accompanying this bill. In addition, I notice the Department of Defense is opposed to it. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ARMY LAND CONVEYANCE TO SAVANNAH, GA.

The Clerk called the bill (S. 1650) to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Savannah, Chatham County, Ga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey, relinquish, and release to the city of Savannah, Chatham County, State of Georgia, all the right, title, and interest of the United States in and to a certain tract or parcel of land conditionally granted to such city under the act entitled "An act authorizing the sale of real property no longer required for military purposes," approved March 4, 1923. Such land is situated in such city and is more particularly described as follows:

All of the land known as Fort Jackson (formerly Fort Oglethorpe), Georgia, being the property conveyed to Thomas Jefferson, President of the United States, and his successors in office, by deed dated May 16, 1808, from Nichol Turnbull, recorded in the clerk's office of Chatham County, in book BB, folio 162, May 17, 1808, said property being described therein as follows: "All that wharf lot known by the number 12 situate in New Deptford, formerly known by the name of Five Fathom Hole on the Savannah River, east of the city of Savannah, containing two hundred feet front on said river, three hundred and forty-five feet running nearly a southeast course from the front to the back line adjoining a lane of twenty-five feet which divides the aforesaid lot from lot 11, two hundred feet on the said back line and on the northeast side of said lot adjoining lot number 13 and two hundred and ninety-two feet from the aforesaid back line to low water mark; bounded southeastwardly by land of the said Nichol Turnbull, northeastwardly by lot number 13 and southwestwardly by the aforesaid lane of twenty-five feet dividing the aforesaid lot number 12 from lot number 11 and northwestwardly by Savannah River, which said lot number 12 is designated on a general plan of the same by the remains of Mail-fort, as will more fully appear reference being had to the said general plan on record in the surveyor general's office of the State of Georgia, taken and laid off by the county surveyor the 9th day of May 1798, as will further appear by reference to a plat of record in the office of the clerk of superior court, Chatham County, Ga., bearing the legend, 'Fort Jackson Military Reservation, photostatic copy of map on file with the National Archives and Records Service, Washington, D. C., RG 77. Records of the Office of the Chief of Engineers. Fortifications Map File, map: Dr. 189, Ga. 5-5'."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF QUALIFIED FEMALE PHYSICIANS IN THE MEDICAL SERVICES OF THE ARMED SERVICES

The Clerk called the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAWFORD. Mr. Speaker, I object.

FORT SCHUYLER, N. Y.

The Clerk called the bill (H. R. 4021) to amend the first section of the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950 (Public Law 755, 81st Cong.), is hereby amended to read as follows: "That the Secretary of the Army is authorized to convey to the people of the State of New York all that portion of the United States Military Reservation at Fort Schuyler, in the borough and county of Bronx in the city of New York, State of New York, together with all improvements thereon, bounded and described as follows, to wit: Commencing at a point (latitude forty degrees forty-eight minutes twenty-three seconds north; longitude seventy-three degrees forty-seven minutes fifty-two seconds west) fixed on the south sea wall which is approximately twenty-five and five-tenths feet westerly from an angle in said sea wall and running thence in a northeasterly direction five hundred ninety-two and five-tenths feet, more or less, to a point on the north sea wall which is approximately one hundred ninety-six and five-tenths feet westerly from an angle in the north sea wall (said line running along the easterly edge of a concrete curb for an eighteen-foot concrete road running in a northeasterly and southwesterly direction); thence continuing in the same course to the point where said line intersects the northerly exterior line of a grant of lands under water made by the State of New York to the United States of America by letters patent dated May 26, 1880, and recorded in the office of the secretary of state of the State of New York in Book 44 of Patents at page 604; thence running easterly, southerly, and westerly along the exterior northerly, easterly, and southerly line of said grant to a point in the exterior southerly line thereof which is in range with the course first above described; thence running in a northeasterly direction to the point and place of beginning, intending to include within said bounds a portion of the uplands which were conveyed by William Bayard, Jr., and Charles Henry Hammond to the United States of America by deed dated July 26, 1826, and recorded in the office of the clerk of the county of Westchester, N. Y., on November 30, 1826, in Liber 28 of Deeds at page 225, and by Charles H. Hammond and Thomas Bolton, one of the masters in chancery of the State of New York, to the United States of America by deed dated August 25, 1828, and recorded in the office of the clerk of the county of Westchester, N. Y., on December 11, 1828, in Liber 33 of Deeds at page 296, together with a portion of contiguous lands under water which were granted by the State of New York to the United States of America by letters patent dated May 26, 1880, and recorded in the office of the secretary of state of the State of New York in Book 44 of Patents at page 604; together with such easements for highway or other purposes, over that portion of such reservation which is not herein authorized to be conveyed to the people of the State of New York, as may be necessary for their proper use and enjoyment of the portion so conveyed as may be determined by agreement between the Secretary of the Navy and the appropriate officials of the State of New York."

With the following committee amendment:

On page 4, following line 4, add the following new section:

"SEC. 2. Section 3 of the act is amended to read as follows: 'Such conveyance shall contain the further provision that during any emergency declared by the President or the Congress of the United States in existence at the time of enactment of this act, or whenever the President or the Congress of the United States declares a state of war or other national emergency, and upon the determination by the Secretary of the Army, the Secretary of the Navy or the Secretary of the Air Force that the property so conveyed is useful for military, air or naval purposes or in the interest of national defense, the United States shall have the right, without charge, except as indicated below, to the full, unrestricted possession, control and use of the property conveyed, or any part thereof, including any additions or improvements thereto made by the State subsequent to this conveyance: *Provided, however,* That the United States shall be responsible during the period of such use for the entire cost of maintaining all of the property so used, and shall pay a fair rental for the use of any structures or other improvements which have been added thereto without Federal aid.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the act entitled 'An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes,' approved September 5, 1950."

A motion to reconsider was laid on the table.

BAD CONDUCT DISCHARGES

The Clerk called the bill (H. R. 6769) to amend section 301, Servicemen's Readjustment Act of 1944 to further limit

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 20, 1952
For actions of May 19, 1952
82nd-2nd, No. 85

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House passed bill to continue ACP. Ready for President. House passed bill to authorize Collbran reclamation project. Senate debated immigration bill. Senate passed bill to transfer land at Ft. Robinson remount station. Senate committee reported proposal to continue international sugar agreement.

HOUSE

1. SOIL CONSERVATION. Passed without amendment S. 2569, to continue Federal administration of the Agricultural Conservation Program (PMA) for two additional years beyond Dec. 1952 (pp. 5489-91, 5502-4). This bill will now be sent to the President.

2. RECLAMATION. Passed as reported H. R. 2813, to authorize the Interior Department to construct, operate, and maintain the Collbran reclamation project, Colo. (pp. 5545-8).

3. MINERALS. Passed without amendment H. R. 4752, to repeal the provision in Sec. 17 of the act of Feb. 25, 1920, which waives rentals for the second and third lease years for lands not within a known geological structure when no valuable discovery has been made (pp. 5521-3).

4. FORESTRY. Passed as reported S. 1517, to enable this Department to sell without advertising national forest timber in amounts not exceeding $2,000 in appraised value (pp. 5488-9).

Passed without amendment S. 1630, to increase the rights-of-way authorization for electrical transmission, telephone, and telegraph lines and poles on national forest lands (p. 5501). This bill will now be sent to the President.

5. LAND TRANSFER. Passed without amendment S. 1403, to direct this Department to transfer to the Navy Department a tract of land at Shumaker, Ark., formerly used by the Farm Security Administration (p. 5501). This bill will now be sent to

the President.

6. PATENTS. Passed without amendment H. R. 7794, to revise and codify the laws relating to patents (pp. 5492-501).

7. RESEARCH LAND. Passed as reported H. R. 5314, to transfer to the University of Calif. a tract of land used by BPISAE for grape-production research (p. 5489).

8. PURCHASING; PROPERTY; BUILDINGS. Passed as reported H. R. 5350, to amend the Federal Property and Administrative Services Act so as to increase the capital of the general supply fund, provide greater flexibility in determining the amount of reimbursement for transfers of excess property among executive agencies, grant more latitude in the negotiation of sales of surplus property, and establish a building management fund (pp. 5484-5).

9. SOCIAL SECURITY. By a 150-140 vote (two-thirds majority required), failed to suspend the rules and pass H. R. 7800, to increase benefits under the Social Security Act (pp. 5482-4, 5504-21, 5525-6).

10. CORN BREAD. Rep. Jenkins commended Ohio corn as a source of corn bread (p. 5481).

SENATE

11. IMMIGRATION. Continued debate on S. 2550, to revise the immigration and naturalization laws (pp. 5566-97, 5599).

12. LAND TRANSFER. Passed with amendments H. R. 4686, authorizing the transfer of a tract of land in Fort Robinson Remount Station from this Department to the city of Crawford. The amendments changed payment by the city from 50% to full market value of the property, and reserved all mineral rights to the Government (pp. 5597-99.)

13. SUGAR; FOREIGN TRADE. The Foreign Relations Committee reported without amendment Executive 1 and Executive O, 82nd Congress, prolonging for 1 year the international agreement regarding the regulation of production and marketing of sugar, signed in London on May 6, 1937 (S. Ex. Rept. 7) (p. 5553).

14. NOMINATION. Confirmed the nomination of Henry H. Fowler as Defense Production Administrator (p. 5601).
Ordered printed the minority views of the Judiciary Committee on the nomination of James P. McGranery as Attorney General (p. 5550).

15. FLOOD CONTROL. Sen. Humphrey inserted four resolutions by the City Council of Winona, Minn., urging flood control aid (pp. 5550-1).

16. WHEAT; TRANSPORTATION. Sen. Carlson stated that Kansas farmers and elevator operators are concerned about the boxcar supply for the moving of the 1952 wheat crop, and inserted his correspondence with Mr. Geissler, PMA, on this subject (pp. 5558-62).

17. NEWSPRINT. Sen. O'Conor criticized the $10-a-ton increase in newsprint by Canadian producers and asked that action be taken to fight this (pp. 5553-4).

Indiana [Mr. HALLECK]. I hold in my hand a wire which reads, in part:

Representatives of the undersigned groups in meeting here today urge you to move to rerefer section 6 begining on page 25 of H. R. 7800.

That is signed by a number of active working people in the city of Denver, which is not in my district, but they are interested in having this bill referred back to the committee so that it may come out here on the floor under such procedure that we can debate the good and the bad points of it.

Mr. Speaker, the telegram to which I referred reads, in full, as follows:

DENVER, COLO.

Hon. WILLIAM C HILL,
Congressman from Colorado,
House Office Building,
Washington, D. C.:

Representatives of the undersigned groups in meeting here today urge you to move to rerefer section 6, beginning on page 25 of H. R. 7800, to committee for public hearing for benefit of those whose retirement systems are threatened. This section will mutilate existing retirement plans, divide employee groups, create long-term confusion, and is dangerous legislation. Loose definition of terms and separation of existing plans into several seem especially unfair.

Raymond J. Heath, Secretary, Public Employees Retirement Association of Colorado; Newell B. Walters, Vice Chairman, National Conference on Public Employee Retirement Systems; Richard D. McAndrew, Vice Chairman, Denver Public School Employees Retirement System; William H. McNichols, City Auditor and Chairman, Denver Municipal Employees Retirement Board; Lee A. Dugdale, Chairman, Committee on Social Security, Denver School Employees Council; Neil Horan, Colorado State Fireman's Association; William H. Anderson, Jr., Colorado Conference on Public Employee Retirement Systems; Emery C. Dye, Denver City Employees; Craig P. Minear, Executive Secretary, Colorado Education Association; T. T. Houghton, Colorado Civil Service Employees Association.

SOCIAL-SECURITY LEGISLATION

(Mr. SHAFER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAFER. Mr. Speaker, I am entirely in accord with the gentleman from Indiana [Mr. HALLECK]. I have here a telegram from Joseph Lawrence, the director of the Washington office of the American Medical Association, which states that—

No. 1. This does not belong in an insurance bill.

No. 2. It gives the Federal Security Administrator, Oscar Ewing, unusual powers in the medical field, namely, to promulgate rules and regulations on a national basis for governing the medical examinations; to select a number of examiners of applicant; to remunerate for examinations; to alleviate expense of applicants going to and from examinations; and, most powerful of all, to deny application if applicant refuses to take indicated rehabilitation under the Vocational Rehabilitation Act.

This is socialized medicine, there is no question about it and it certainly should not come up now without a rule. The request for suspension of the rules should be denied.

This bill, H. R. 7800, has had no hearings by the Ways and Means Committee, and therefore the Congress is most certainly entitled to fuller debate on it. It is unfair for the Democratic leadership to ask Members to vote on legislation of this type. Much of it is meritorious but there are portions of it, especially section 3, which contains the disability provisions, which are undesirable, especially in view of the fact that it attempts to give Social Security Administrator Oscar Ewing powers under which he could bring socialized medicine in by the back door.

It is my understanding that if this legislation is denied under suspension of the rules, minority members of the Ways and Means Committee will introduce a new bill which will eliminate section 3 and will amend section 4 to increase the amount of earnings by beneficiaries of social security from $50 to $100 per month without losing their benefits. All other benefits under H. R. 7800 would remain the same.

I urge the defeat of the efforts to suspend the rules.

CORRECTION OF RECORD

Mr. HOFFMAN of Michigan. Mr. Speaker, last week I was unavoidably absent from Wednesday on because of a death in the official family. I find that the RECORD does not show the pairs I made at that time, and I ask that it may be corrected.

The SPEAKER. That has been done already today.

Mr. HOFFMAN of Michigan. I apologize for being a little late, Mr. Speaker.

SOCIAL-SECURITY LEGISLATION

(Mr. JUDD asked and was given permission to address the House for 1 minute.)

Mr. JUDD. Mr. Speaker, in the social-security bill that is to come up today, H. R. 7800, there are certain provisions that I feel sure everybody in the House believes ought to be passed, but there are some other provisions which are at least questionable and deserve full explanation and debate with opportunity to vote on each of its many unrelated provisions. Such an important bill ought not to come up under suspension of the rules, without opportunity to amend the bill or even to debate it more than 40 minutes. I hope that the motion to suspend the rules and pass the bill will be voted down, so that the bill can then go to the Rules Committee and be brought here under regular procedure. A bill of such omnibus character, with so many different types of provisions in it, should come before us in a way that will permit the House to act in a genuinely democratic way instead of under a gag procedure.

SOCIAL-SECURITY LEGISLATION

(Mr. McGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McGREGOR. Mr. Speaker, H. R. 7800, which is categorized as the Social Security Act is flying under false colors. This administration is attempting by means of increased benefits to social-security recipients to force socialized medicine upon the people of our country. I charge they are willing to sacrifice the recipients of social security in order to put into effect their socialized-medicine program.

I would respectfully refer you to page 15, line 23, and I quote:

The Administrator shall provide for such examination of individuals as he determines to be necessary to carry out the provisions of this title relating to disability and periods of disability.

On page 16, line 3 to 10, inclusive, in which they are referring to the physicians who will examine the applicant for social security, and I quote:

Examinations authorized by the Administrator may also be performed by private physicians, or by public or private agencies or institutions, designated by the Administrator for the performance of such examinations; and the cost of such examinations shall be paid for by the Administrator, in accordance with agreements made by him, either directly or through Federal or State agencies.

This, Mr. Speaker, forces recipients of social security to be examined by some doctor who meets the requirements and pleasure of the Federal Administrator. Without question, this legislation is attempting to force socialized medicine upon the American people. Also, the bill as written, in my opinion, might seriously affect the teachers, policemen, firemen and other retirement systems of the various States. It seems unfair to me that we are not given an opportunity to debate this legislation, strike out that which would lead us into socialized medicine and strike out the clause which jeopardizes the various State retirement systems now in effect and which are operating so successfully—and whose members do not want to come under Federal control. This legislation should have had hearings before the committee so that those affected might have been given an opportunity to express their views. Under the rule as requested by the leadership this bill must be accepted or rejected as it is written and only 1 hour of debate is allowed and no amendments whatsoever are permitted.

I am very much in accord with the philosophy of increasing the benefits by $5 a month, and possibly even to a greater amount, and I am in favor of allowing the recipients of social security to work to bring revenue for themselves even in excess to the $70 a month they have set forth in this bill.

I am definitely opposed to any attempt to put our teachers' retirement system and our public employees' retirement system under Federal control and

I also am definitely opposed to socialized medicine in any form. I will do everything within my power, as long as I am a Member of Congress, to prevent such action.

NORWEGIAN CONSTITUTION DAY

(Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD and include a brief statement on Norwegian Constitution Day.)

Mr. DAVIS of Wisconsin. Mr. Speaker, in common with Norsemen everywhere, Americans of Norwegian descent have set aside May 17 as a special day on their calendar. To them, May 17 is to be compared with the Fourth of July.

So it was that on Saturday last, commemorative services were held in such communities as Madison, Stoughton, and the many surrounding smaller towns and villages, which are largely populated by hardy, industrious, freedom-loving people of Norwegian descent.

While their non-Scandinavian neighbors refer to May 17 good-humoredly as "the Norwegian holiday," to Americans of Norwegian ancestry, this is the solemn day which marks the anniversary of the signing of the Constitution of Norway in 1814. The present constitutional monarchy of Norway, with the beloved King Haakon VII as the present monarch, has provided a beacon for freedom and independence for nearly a century and a half.

There are hundreds of thousands of people of Norwegian ancestry in Wisconsin. These people have contributed greatly to our institutions and to our economy. They have been particularly successful in farming and other related agricultural pursuits.

I grew up in a farm community, on the borders of what we then called the Norwegian settlement. I knew these people as schoolmates, neighbors, and friends.

My first 2 years teaching were in a community where the school basketball team was composed of boys whose names were Anderson, Thorstad, Larson, Jensen, and Johnson.

It seems completely natural, therefore, for me to briefly express a word of pride in the friendship of many of those proud people to whom May 17 of each year means so much.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PRESERVING HISTORIC PROPERTIES, OBJECTS, AND BUILDINGS

The Clerk called the joint resolution (H. J. Res. 254) to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

Mr. BYRNES. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SUMMIT LAKE INDIAN RESERVATION, NEV.

The Clerk called the bill (H. R. 4285) to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

RESEARCH IN PRODUCTION OF WATER

The clerk called the bill (H. R. 6578) to provide for research into and demonstration of practical means, for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes.

Mr. BYRNES. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H. R. 5350) to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HARDY. Mr. Speaker, reserving the right to objection, and I shall not object. I do so for the purposes of calling attention to the fact that this bill was objected to the last time by the gentleman from Iowa [Mr. CUNNINGHAM]. The basis of his objection was an objection from the Department of Defense, which has now been resolved. I have a joint letter signed by the Defense Department and the General Services Administration, which eliminates the previous objection, and I ask unanimous consent that it be inserted in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The letter referred to is as follows:

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D. C., May 16, 1952.

Hon. WILLIAM O. DAWSON,
Chairman, Committee on Expenditures in Executive Departments, House of Representatives.

DEAR MR. DAWSON: This is with further reference to your request for the views of the Department of Defense with respect to H. R. 5350, a bill to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

It is our understanding that the bill contains four substantial amendments to the Federal Property and Administratives Services Act. These amendments relate to an increase in the capital of the general supply fund, greater flexibility in determining the amount of reimbursement for transfers of excess property among executive agencies, more latitude in the negotiation of sales of surplus property, and the establishment of a building management fund.

While these changes in themselves do not directly affect the responsibilities of the Department of Defense, nevertheless, this Department is interested in them. General Services Administration representatives testified during hearings before your committee that there is nothing in the proposed bill which is intended to give the General Services Administration any additional substantive authority to expand operations in connection with the furnishing of common-use items to the Department of Defense and that the bill does not intend to repeal or modify section 201 (a) of the Federal Property and Administrative Services Act. That also is the understanding of the Department of Defense.

By direction of the President, General Services Administration, the Bureau of the Budget, and the Department of Defense are currently working out areas of understanding with respect to the extent to which the Department of Defense should be exempt from the jurisdiction of the Administrator under the applicable sections of the Federal Property and Administrative Services Act. It is only after an agreement has been reached with the Department of Defense with respect to a common-use item, or when the President may direct, that General Services Administration may take over the procurement and supply thereof. It is enabling legislation, not mandatory or directive in nature. It is the express understanding between the Department of Defense and GSA that H. R. 5350 is not a repudiation but an indorsement of the present program and of the agreements reached thereunder.

As indicated by the signature of the Deputy Administrator of General Services Administration herewith affixed, General Services Administration concurs in the Department of Defense views expressed herein concerning the purposes of H. R. 5350 in the particular areas above discussed. In view of these understandings, the Department of Defense interposes no objection to the enactment of the bill, subject to some language changes, technical in nature, which it will offer to the appropriate committee of the Senate.

Sincerely yours,

ROGER KENT,
General Counsel.

Concurrence:

RUSSELL FORBES,
Deputy Administrator, General Services Administration.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. HARDY. I yield.

Mr. FORD. As I understand it, the gentleman from Iowa last time the Consent Calendar was called, asked that this bill be put over on the basis of a statement to the effect that the Department of Defense opposed the bill.

Mr. HARDY. That is correct.

Mr. FORD. And as I further understand, you now have in your possession a letter jointly signed by the General Services and the Department of Defense, the same stating that there is unanimity so far as this legislation is concerned.

Mr. HARDY. That is correct.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enactcd, etc., That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, 81st Cong.), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws)."

(b) By inserting after "obligated" in section 3 (k) "or has the option."

(c) By deleting the proviso in section 109 (f).

(d) By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by Federal agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: *Provided*, That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices estabalished in accordance with section 109 (b)."

(e) By striking "executive" wherever it appears in sections 200 (b), 202 (c), 203 (b), 203 (c), 203 (d), 203 (f), 204 (e), 205, 206 (a), 206 (c), and 207 and substituting therefor "Federal."

(f) By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and organizations specified in section 109 (f), and."

(g) By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

(h) By revising section 203 (e) so as to read:

"All disposals of surplus property, other than donations, authorized by the Administrator shall be made after such full and free competition as is consistent with the public interest and the circumstances, under regulations prescribed by the Administrator: *Provided*, That an explanatory statement shall be preserved in the file of all cases where negotiated disposal occurs."

(i) By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that."

(j) By striking "an executive" in section 204 (d) and substituting therefor "a Federal."

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures."

(l) By striking "supplies" wherever it appears in title III and substituting therefor "property."

(m) By inserting "(a)" after "Sec. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this act."

(n) By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records," and by deleting after "Commission" therein "he may also."

(o) By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings."

With the following committee amendments:

Page 2, immediately folowing line 2, insert the following new subsections:

"(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administratir by other executive agencies under authority of section 201 (a) (2),".

"(d) By deleting the third sentence of section 109 (a)."

Page 2, line 3, strike "(c)" and insert in lieu thereof "(e)."

Page 2, line 4, strike "(d)" and insert in lieu thereof "(f)."

Page 2, line 8, strike the word "Federal" and insert in lieu thereof the word "executive."

Page 2, line 16, immediately following "(b)," insert the following language: "or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597; 31 U. S. C. 841), or is an organization specified in section 109 (f)."

Page 2, lines 22 and 23, page 3, lines 1 and 2, strike out these four lines.

Page 3, line 3, strike "(f)" and insert in lieu thereof "(g)."

Page 3, line 5, immediately following the word "and" insert the word "to."

Page 3, line 7, strike "(g)" and insert in lieu thereof "(h)."

Page 3, lines 9 through 14, strike all these lines to and including the word "Administrator" in line 14 and insert in lieu thereof the following:

"(i) By striking from section 203 (e) the words 'December 31, 1950' and inserting in lieu thereof the words 'June 30, 1953'."

Page 3, line 17, strike "(i)" and insert in lieu thereof "(j)."

Page 3, lines 20 and 21, strike these lines.

Page 3, immediately following line 23, insert the following new subsection:

"(1) By adding a new subsection (f) to section 210, to read as follows:

"'(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a buildings management fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. There is authorized to be appropriated to said fund such sums as may be required, and any stocks of supplies and any equipment, available for buildings management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: *Provided*, That said fund shall be credited with (1) annual advances for nonrecurring expenses, quarterly advances for other expenses, and reimbursements from avaliable appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: *Provided further*, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided further*, That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 245), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury'."

Page 4, line 1, strike "(1)" and insert in lieu thereof "(m)."

Page 4, line 3, strike "(m)" and insert in lieu thereof "(n)."

Page 4, line 11, strike "(n)" and insert in lieu thereof "(o)."

Page 4, line 16, strike "(o)" and insert in lieu thereof "(p)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WOMEN PHYSICIANS AND SPECIALISTS IN THE ARMED FORCES

The Clerk called the bill (S. 2552) to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all laws or parts of laws, which now or hereafter authorize appointment of male commissioned officers in each of the several corps of the medical service of the Regular Army, and the reserve components thereof, or as medical, dental, and Medical Service Corps officers of the Regular Navy and Naval Reserve, or as officers of the Air Force designated to perform medical, dental, veterinarian, or medical service duties, shall be construed to include authority to appoint female personnel thereunder and all laws and parts of laws now or hereafter applicable to male commissioned officers and former male commissioned officers of each of the several corps of the medical service of the Regular Army, and the reserve components thereof, or as medical, dental, and Medical Service Corps officers of the Regular Navy and Naval Reserve, or as officers of the Air Force designated to perform medical, dental, veterinarian, or medical service duties, and to their dependents and beneficiaries, shall, in like cases, be applicable to commissioned female officers and former commissioned officers so appointed and to their dependents and beneficiaries: *Provided*, That, except with respect to the Career Compensation Act of 1949, the husbands of female officers

appointed under the provisions of this Act shall not be considered dependents unless they are in fact dependent on their wives for their chief support, and the children of such officers shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support: *Provided further*, That the cognizant Secretary, under the circumstances and in accordance with regulations prescribed by the President, may terminate the commission of any officer appointed pursuant hereto.

Mr. SHORT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. SHORT: On page 2, line 22, add the following: "The second, third, and fourth sentences of section 201 of the act of August 5, 1947 (61 Stat. 777), are amended by inserting the words 'or osteopathy' immediately after the word 'medicine'."

Mr. SHORT. Mr. Speaker, the following is a letter I have received from the American Osteopathic Association:

AMERICAN OSTEOPATHIC ASSOCIATION,
Washington, D. C., April 2, 1952.

In re S. 2552.

Hon. DEWEY SHORT,
United States House of Representatives,
Washington, D. C.

DEAR MR. SHORT: Although women doctors of osteopathy have the same or equivalent licenses to practice in most of the States as do women doctors of medicine, the latter will be eligible for Medical Corps service under S. 2552, but the former will not be so eligible unless the following language is added at the end of S. 2552, to wit:

Page 2, line 22, add the following: "The second, third, and fourth sentences of section 201 of the act of August 5, 1947 (61 Stat. 777), are amended by inserting the words 'or osteopathy' immediately after the word 'medicine'."

Although section 41 of the act of August 2, 1946, and section 1 of the act of June 5, 1942, expressly authorize the use of osteopathic graduates by the Navy and Army, section 201 of the act of August 5, 1947, emasculates that authority by requiring that "such appointments shall be made only from qualified civilian doctors of medicine." The proposed amendment removes that emasculation.

The proposed amendment is consistent with the following laws:

Navy: "The President, in his discretion, is authorized to appoint, by and with the advice and consent of the Senate, graduates of reputable schools of osteopathy as commissioned medical officers in the Navy, in such numbers as the President should determine to be necessary to meet the needs of the naval service for officers trained and qualified in osteopathy." (Sec. 41, act of August 2, 1946 (60 Stat. 858).)

Army: "That the Secretary of War (Army) be, and hereby is, authorized out of any moneys available for the War (Army) Department * * * to provide for the employment of interns who are graduates of or have successfully completed at least 4 years' professional training in reputable schools of medicine or osteopathy in the Medical Department." (Sec. 1, act of June 5, 1942 (56 Stat. 314).)

As originally introduced the above section reads: "to provide for the employment of interns in the Medical Department."

Hearings on the provision in that form were held before the House Committee on Military Affairs on April 23, 1941, during the course of which, as recorded on page 10 of the published record, in response to a question from Congressman KILDAY as to what would happen to the employees upon completion of their internship, General Haislip said: "They will be offered a commission in the Reserve Corps, and a number of them probably will be able to get commissions in the Regular Army."

With that understanding, the committee revised the provision so as to expressly qualify osteopathic graduates, and as so revised the provision was enacted into law.

The proposed amendment is in consonance with the following laws:

Public Health Service: "Graduates of colleges of osteopathy whose graduates are eligible for licensure to practice medicine or osteopathy in a majority of the States or the United States, or approved by a body or bodies acceptable to the Administrator, shall be eligible subject to the other provisions of this act, for appointment as commissioned medical officers in the Public Health Service." (Sec. 5 (b), act of February 28, 1948 (62 Stat. 273).)

Veterans' Administration: "Any person to be eligible for appointment in the Department of Medicine and Surgery must (a) be a citizen of the United States. (b) In the medical Service—hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia." (Sec. 5, Act of January 3, 1946 (59 Stat. 676).)

The legislative history of section 201 of the act of August 5, 1947, which S. 2552 must amend as suggested if osteopathic graduates are to be eligible, shows that it was passed under a misapprehension that it would not vitiate the existing legislation. The Senate proceedings of July 23, 1947, includes the following:

"Mr. MURRAY. Does the Senator recognize that the bill in its present form would vitiate the act of Congress that was passed last year (sec. 41 of the act of August 2, 1946. which expressly authorizes appointment of osteopathic graduates in the Navy Medical Corps)?

"Mr. MORSE. No; I do not think it would vitiate it at all, if we take into account the conditions. After all, this is a piece of emergency legislation to cover a particular procurement requirement."

It now appears that the section 201 of the Medical Officer Procurement Act is permanent legislation, and it does conflict with section 41 of the Navy Authorization Act. The proposed amendment removes that interference, and reconciles existing statutes, permitting women osteopathic graduates the same eligibility as in the case of male osteopathic graduates.

We respectfully submit that the proposed amendment is equitable and in the public interest, and we are hopeful that you will see fit to effect its adoption.

Very truly yours,

C. D. SWOPE, D. O.,
Chairman.

L. L. GOURLEY,
Legal Counsel.

The SPEAKER. The question is on the amendment offered by the gentleman from Missouri [Mr. SHORT].

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN RIVER DEVELOPMENT ACT

The Clerk called the bill (H. R. 6531) to amend the American River Development Act, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 356, Eighty-first Congress (ch. 690, 1st sess.), relating to the American River Basin development, California, for irrigation and reclamation, and for other purposes, be amended by inserting a comma in section 2 after the words "local agencies may find most advisable" and adding the words "and also the Corps of Engineers shall construct an extension of the existing levee approximately 7 miles upstream along the north and east bank of the American River at Sacramento, Calif., at an estimated cost of $900,000, substantially as described in House Document 367, Eighty-first Congress."

With the following committee amendments:

Page 2, lines 1, 2, and 3, strike all the language in these lines and insert in lieu thereof the following language: "the American River at Sacramento, Calif., at an authorized cost of not to exceed $700,000, in accordance with and subject to the terms of local cooperation prescribed in Document 367, Eighty-first Congress: *Provided*, That this authorization shall end with the Eighty-third Congress."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IMMIGRATION VISAS

The Clerk called the joint resolution (H. J. Res. 411) to amend the American River Development Act, and for other purposes.

Mr. BYRNES. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. WALTER. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. BYRNES. Mr. Speaker, reserving the right to object. The only reason I asked that the joint resolution go over without prejudice is that the gentleman from Iowa [Mr. CUNNINGHAM] had made a similar request 2 weeks ago, and in his absence I made the request. I am not acquainted with what objections he might have, and it was to protect the position he had taken a couple of weeks ago that I made the request. Perhaps the gentleman from Pennsylvania has talked to the gentleman from Iowa and that it is satisfactory so far as he is concerned.

Mr. WALTER. I had a conversation with the gentleman from Iowa [Mr. CUNNINGHAM] at the time that he asked that the bill go over without prejudice. He said his objection was that there had not been a report. I pointed out to him the fact that in the President's message of March 24, there was contained the factual information which was equivalent to a report. The gentleman from Iowa then stated that that being the fact, he no longer had any objection to it. But, as I say, there has been no official report filed.

82D CONGRESS
2D SESSION

H. R. 5350

IN THE SENATE OF THE UNITED STATES

MAY 20 (legislative day, MAY 12), 1952

Read twice and referred to the Committee on Government Operations

AN ACT

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, Eighty-first Congress), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for

return to the public domain for disposition under the general public land laws)".

(b) By inserting after "obligated" in section 3 (k) "or has the option".

(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2),".

(d) By deleting the third sentence of section 109 (a).

(e) By deleting the proviso in section 109 (f).

(f) By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: *Provided,* That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) or whenever either

the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b)."

(g) By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and to organizations specified in section 109 (f), and".

(h) By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

(i) By striking from section 203 (e) the words "December 31, 1950" and inserting in lieu thereof the words "June 30, 1953: *Provided*, That an explanatory statement shall be preserved in the file of all cases where negotiated disposal occurs."

(j) By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that".

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures".

(l) By adding a new subsection (f) to section 210, to read as follows:

"(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. There is authorized to be appropriated to said fund such sums as may be required, and any stocks of supplies and any equipment, available for buildings, management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: *Provided,* That said fund shall be credited with (1) annual advances for nonrecurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries

resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: *Provided further*, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided further*, That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 245), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury."

(m) By striking "supplies" wherever it appears in title III and substituting therefor "property".

(n) By inserting "(a)" after "SEC. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration

or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act."

(o) By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records", and by deleting after "Commission" therein "he may also".

(p) By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings".

Passed the House of Representatives May 19, 1952.

Attest: RALPH R. ROBERTS,

Clerk.

82D CONGRESS
2D SESSION

H. R. 5350

AN ACT

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

MAY 20 (legislative day, MAY 12), 1952
Read twice and referred to the Committee on Government Operations

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 3, 1952
For actions of July 2, 1952
82nd-2nd, No.118

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HIGHLIGHTS: Both Houses agreed to conference reports on following appropriation bills (ready for President): agricultural, independent offices, Labor-Federal Security. House passed following bills: extending rural housing program 1 year, increasing civil-service retirement, extending Veterans' Preference Act to recent veterans, authorizing air-pollution research, and transferring Ft. Reno lands to Indians. Senate passed price-maintenance bill. Ready for President. House adopted conference report on emergency-powers continuation bill. House committee reported bills authorizing halogeton control and sale of submarginal-land tract. Senate committee reported bills to adjust burley tobacco quotas and authorize consolidated insect-research laboratory. Senate committee submitted CCC investigation report.

SENATE

1. APPROPRIATIONS. Both Houses agreed to the conference reports on the following bills and acted on amendments in disagreement (these bills will now be sent to the President):

Agricultural appropriation bill, H. R. 7314 (pp. 9014-6, 9159-60). Attached to this Digest is a statement on this bill as sent to the President.

Independent offices appropriation bill, H. R. 7072 (pp. 9019-28, 9161-3). As sent to the President, this bill restores the Thomas leave rider but adds a provision to the effect that the rider shall not be applicable to annual leave accumulated prior to Jan. 1, 1952. Sen. Robertson inserted a statement by Sen. Byrd objecting to the rider. The bill also fixes a ceiling of $1,600 on the price which may be paid for automobiles, with certain exceptions. The conferees compromised the National Science Foundation item at $4,750,000.

Labor-Federal Security appropriation bill, H. R. 7151 (pp. 9016-9, 9160).

D. C. appropriation bill, H. R. 7216 (pp. 9010-3, 9160).

2. PRICE MAINTENANCE. Passed, 64-16, without amendment H. R. 5767, to amend the Federal Trade Commission Act so as to extend the provisions of State "fair-trade"

laws, relating to minimum or stipulated resale prices, to merchants not signing such agreements with wholesalers or distributors (pp. 9068, 9073-112, 9118-27, 9135-45). This bill will now be sent to the President.

3. CCC INVESTIGATION. The Agriculture andForestry Committee submitted its report on its investigation of CCC storage and processing activities (S. Rept. 2048)(p. 9064). The report is not yet printed, and the committee staff informs us that it may not be available for distribution for several weeks.

4. LAND TRANSFER. The Agriculture and Forestry Committee reported without amendment H. R. 5055, to authorize exchange of certain lands in Ontonagon County, Mich., for lands within the Ottawa National Forest (S. Rept. 2053)(p. 9064).

5. INSECT RESEARCH. The Agriculture and Forestry Committee reported without amendment H. R. 7952, to authorize the combination of the Truck Crop Insect and the Citrus Insect Laboratories of E&PQ located at Alhambra and Whittier, Calif., respectively, and to authorize new quarters (S. Rept. 2054)(p. 9064).

6. TOBACCO ALLOTMENTS. The Agriculture and Forestry Committee reported without amendment H. R. 8170, to authorize reductions in minimum burley tobacco farm acreage allotments (S. Rept. 2055)(p. 9064).

7. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments S. 2320, to provide the basis for authorizing irrigation works in connection with Chief Joseph Dam and to provide for financial assistance thereto from power revenues (S. Rept. 2051)(p. 9064).

8. PROPERTY; ADMINISTRATIVE SERVICES. The Government Operations Committee reported with amendments H. R. 5350, to make various amendments to the Federal Property and Administrative Services Act of 1949 (S. Rept. 2075)(p. 9064).

9. SUPPLEMENTAL APPROPRIATION BILL, 1953. The Appropriations Committee was authorized to report this bill, H. R. 8370, during recess (p. 9148).

10. NOMINATION of Walter L. Green, to be Federal Housing Commissioner, was confirmed (pp. 9158, 9168).

11. TUNA-FISH INVESTIGATION. Sen. George inserted a Tariff Commission public notice on the investigation of the domestic tuna-fish industry undertaken by that agency on June 30 (p. 9068).

12. BUDGETING. Sen. McClellan inserted a Washington Post editorial favoring S. 913 and H. R. 7888, to create a joint budget committee, etc. (p. 9072).

HOUSE

13. APPROPRIATIONS. The Appropriations Committee reported without amendment H. J. Res. 493, allowing $500,000 to the Appropriations Committee for staff aid in scrutinizing the budget and in investigating the expenses of the executive agencies (H. Rept. 2429)(pp. 9059, 9001-2, A4431).

14. PRICE MAINTENANCE. The Judiciary Committee reported without amendment S. 917, establishing good faith as a defense to a charge of price discrimination to meet the equally low price of a competitor (H. Rept. 2438)(p. 9059).

15. EMERGENCY POWERS. Agreed to the conference report on H. J. Res. 477, to continue certain statutory provisions during the emergency and for 6 months

Calendar No. 2000

82D CONGRESS
2d Session

SENATE

REPORT
No. 2075

AMENDING THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED, IN SEVERAL PARTICULARS

JULY 2 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. MCCLELLAN, from the Committee on Government Operations, submitted the following

REPORT

[To accompany H. R. 5350]

The Committee on Government Operations, to whom was referred the bill (H. R. 5350) to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The committee amendments are as follows:

Page 2, line 2, immediately following "laws", insert the following:

because such lands are not substantially changed in character by improvements

Page 2, line 10, immediately following the comma, after the figure "2", insert the following:

to the extent that payment is not made or credit allowed therefor,

Page 2, line 11, strike all of this line and insert in lieu thereof the following:

(d) By deleting the figure "$75,000,000" in the third sentence of section 109 (a) and inserting in lieu thereof the figure "$150,000,000".

Page 3, line 19, immediately following "be", insert the following:

prepared and submitted to the appropriate committees of Congress and a copy

Page 4, line 9, immediately following the period, insert the following new sentence:

Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting.

Page 4, line 11, immediately following "required," insert the following:

but not to exceed the amount of $10,000,000,

Page 5, line 11, strike "245" and insert in lieu thereof "345".

Page 6, immediately following line 10, insert the following new section:

SEC. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the Act of October 31, 1951 (Public Law 247, 82d Cong.), is further amended by adding at the end thereof the following sentence: "The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts."

The above amendments provide for the establishment of ceilings for the general supply fund and the buildings management fund, and for clarification or correction of provisions in the bill as passed by the House of Representatives. In the last amendment, the committee provides for the restoration of language in section 29 of the World War Veterans' Act, 1924, which was inadvertently deleted in Public Law 247 (82d Cong.), a general repealer of obsolete property laws. Adoption of this amendment will permit the Veterans' Administration to use proceeds from leases of living quarters maintained in connection with hospitals and other installations in the maintenance, operation, and repair of such quarters.

PURPOSE

The amendments contained in H. R. 5350 to the Federal Property and Administrative Services Act of 1949, as amended, are intended to clarify existing provisions of law and to provide greater flexibility in the administration of the act. These amendments were prepared and are based on actual administrative experience in the administration of the various programs entrusted to the General Services Administration. These amendments were reviewed and approved by the various Federal departments and agencies which utilize the facilities of the GSA in connection with procurement, supply, warehousing, distribution, and management of real and personal property throughout the Government service. These amendments, together with the recommendations of the interested agencies, were submitted to the Congress under a directive requiring the Administrator of the General Services Administration to make continuous surveys and recommendations to the Congress for additional legislation designed to improve the administration of the Federal property laws.

Provision is made in the bill, as reported by the committee, for a number of amendments to the act, some of which are of a perfecting nature, while others are of a clarification or corrective nature. The most important features of this bill are designed to—

(1) Increase the capital of the general supply fund from the present statutory ceiling of $75,000,000 to $150,000,000.

(2) Allow greater flexibility in determining the amount of reimbursement for transfer of excess property among executive agencies.

(3) Extend to June 30, 1953, the authority to dispose of surplus property by negotiation.

(4) Authorize the establishment of a buildings management working capital fund.

GENERAL STATEMENT

The committee believes that the enactment of H. R. 5350 with the committee amendments, would provide greater flexibility in the administration and management of Federal property and mark another

milestone of progress in increased economy and efficiency in Government operations. The major provisions of the bill as listed in the preceding paragraph are further explained as follows:

Increasing the capital of the general supply fund

The bill, as passed by the House, authorizes the inclusion in the general supply fund, as added capital of that revolving fund, of the value of inventories taken over by GSA in connection with consolidations of procurement and supply functions under the authority contained in section 201 (a) (2) of the Property Act "to the extent that payment is not made or credit allowed therefor." The quoted language is added by a committee amendment suggested by the General Accounting Office. So far as the value of such inventories can be used to augment the fund, the capital necessary for the resultant expanded operations can be provided without additional appropriations. The House bill removes the present statutory limitation of $75,000,000 on the authorized capital of the general supply fund; the committee amendment would retain the ceiling and increase it to $150,000,000. This amendment was inserted by the committee in order that an over-all ceiling would be established. The committee believes that this is a reasonable restriction on the operation of the supply fund under the presently projected program, and, therefore, recommends that it be accepted by the Congress. Studies to date indicate that the Department of Defense consumption of common-use items runs about 4½ to 1 in relation to present GSA procurement of these items for the civilian agencies. This might require a further increase in the capital to approximately $250,000,000 as against the existing appropriated capital of $44,000,000, as the program advances, if GSA were to take over procurement and supply of all such items for the Department of Defense.

Increased flexibility in reimbursement for transfers of excess property

The purpose of this provision of the bill (subsec. (f)) is to permit better utilization of excess property by other Federal agencies which have need for such property. Experience has clearly demonstrated that a considerable amount of excess property which has been reported to the GSA for redistribution to other Federal agencies cannot under existing authority be transferred to the needing agencies, since reimbursement is required under the "fair value" provision of section 202 of the Federal Property and Administrative Services Act of 1949, as amended. The needing agencies contend that they have no funds available for reimbursing the owning agency, and GSA does not have authority to transfer without reimbursement, and as a result the best utilization of excess property is not attained. This amendment to the act would liberalize the effect of the statute and at the same time provide a more flexible method for transfer so that greater utilization of excess property could be attained, while at the same time retaining existing exceptions specifically authorized by law.

The revision of section 202 (a) of the act proposed by subsection (f) of the bill would promote greater utilization of excess property by permitting the Administrator of General Services to determine, with the approval of the Director of the Bureau of the Budget, the extent to which reimbursement for such excess property will be required from executive agencies, when transferred from one Federal agency to another.

This amendment of section 202 (a) will remove the need for requesting specific legislation, in order that excess real property may be transferred from GSA to another agency without reimbursement. The amendment would permit better-quality available excess items to replace old items in poor condition, thus allowing the disposal as surplus of the outmoded equipment and reducing procurement of new property. Without such flexibility, available excess would have to be disposed of either by donation for educational or public health purposes or by sale unless another agency had an immediate or reasonably foreseeable need. The amendment would also facilitate use of excess property in the supply of furniture and furnishings for Government office buildings; the transfer of small lots of excess items where the cost of processing transfer documents is out of proportion to the value of the property; and, as now provided in the act, the taking of excess items into General Services Administration supply centers for later redistribution to agencies.

It is intended that when regulations are developed to implement this subsection, in collaboration with the Bureau of the Budget, due regard will be given to procedures that will either preclude undue augmentation of specific appropriations provided for the acquisition of property or take into account in subsequent appropriations prior transfers of excess property. The committee in approving this provision also intends that transfers of excess property by the Administrator be carefully related to the actual supply needs and inventory situation in the receiving agency.

The provisos in this subsection require that there must be reimbursement whenever net proceeds are requested pursuant to section 204 (b) of the act (when property was originally acquired by the use of reimbursable funds or funds not appropriated from the general fund of the Treasury). Similar reimbursement will be required when transfers are made to or from wholly owned Government corporations and those organizations specified in section 109 (f) (principally mixed-ownership Government corporations and the government of the District of Columbia). Another proviso also makes it clear that excess property that has been taken into supply centers of the General Services Administration for redistribution shall be retransferred to agencies at prices fixed by the Administrator.

Extension of time for negotiated sales of surplus property

The amendment proposed by subsection (i) of the bill would provide greater flexibility in negotiating sales of surplus property. The authority to negotiate the disposal of surplus property was originally contained in the Surplus Property Act of 1944, as amended, and continued under the Federal Property and Administrative Services Act of 1949, until December 31, 1950. When the Federal Property and Administrative Services Act was considered by the Congress it was believed that this authority could expire by that date without causing any difficulty or delay in the disposal program. However, by reason of the action in Korea, certain parcels of real property which formerly were declared excess to the needs of the Department of Defense, were withdrawn from disposal, but subsequently again declared excess. It is the belief of the Administrator of General Services that this authority should be continued, at least until June 30, 1953, in order that the most effective handling of these properties may be realized.

Under existing authority, the sale of surplus property is required to be made by advertising and competitive bids. The administrator of General Services has informed the committee that the present lack of authority to negotiate sales has rendered difficult the disposal of some industrial and other real property, and has added to the cost of disposing of some lots of surplus personal property. House Report No. 1524 suggested that studies should be undertaken now with a view to considering further legislation dealing with this problem in the next Congress in order to provide an orderly means of disposing of surplus property. Meanwhile, the committee has approved an extension, on an interim basis, of authority for negotiation of surplus property sales until June 30, 1953.

This section requires an explanatory statement to be prepared and submitted to the appropriate committees of Congress on each property disposed of by negotiation. This amendment is intended to require the GSA to submit such reports prior to the disposition of each property to the jurisdictional committees, the Senate Committee on Government Operations and the House Committee on Expenditures in the Executive Departments in order that these committees may have up-to-date information on the extent of this program.

Establishment of buildings management fund

The amendment contained in subsection (1) of the bill provides for the establishment of a buildings management fund to be operated on a revolving basis. The Public Buildings Service of the General Services Administration has for many years performed certain buildings management services for other agencies on a reimbursable basis. The services rendered consist of two types, that is, nonrecurring and recurring. A typical example of nonrecurring service rendered by GSA to another Federal agency is making building alterations to suit the convenience of the tenant agency. An example of the recurring type of service furnished is GSA operation of Nation-wide teletypewriter service for the use of Government agencies. It is estimated by the Administrator that during fiscal year 1953 GSA will provide services reimbursable from funds of other agencies to the extent of $40,000,000.

There has been a trend in Government financing toward the establishment of working capital funds for those Government operations which are of a business type by nature. Experience has shown that where one agency provides services to others subject to reimbursement of actual or estimated costs thereof, both operations and accounting therefor are facilitated by the use of a working capital fund. Recent examples of legislative recognition of this fact have been the establishment of working capital funds for the Bureau of Engraving and Printing and the Bureau of Standards to finance the reimbursable services performed by those agencies.

The committee believes that financing all buildings management operations from one fund would simplify the administrative processes of estimating and justifying future fund requirements for such purposes. It would also present financial requirements for these operations in one place in the budget document, which would make less burdensome the review of estimates for these purposes by the Congress.

The accounting and reporting processes would be simplified and conducted more economically since the number of accounts could be

reduced if buildings management operations were initially financed from one fund. Reduction in the number of accounts produces the byproduct of more economical and effective reporting. Billing other agencies for services rendered would also be simplified inasmuch as service rates could be established on the basis, in part, of historical costs accumulated in one set of buildings management cost accounts.

Reimbursable buildings management services are presently financed from the annual operating appropriation to GSA. This method of financing causes difficulties near the end of each fiscal year due to the fact that there is an unavoidable time lag between the date a service is rendered and paid for by GSA and the date on which the agency served reimburses GSA. This situation operates against prompt payments to lessors, vendors, and contractors near the end of each year.

The principal purpose served by the first proviso in the proposed language of the amendment is to permit the crediting of advances to the working-capital fund. Such permission will reduce the amount of appropriated capital which will be required to operate such fund. In other words, day-to-day working capital requirements can be partially met by obtaining cash—from at least the larger service-using agencies—prior to rendering and paying for such services by GSA.

The second proviso requires the transfer of net income of any year, if any, to the general fund of the Treasury. While the General Services Administration as a matter of policy would attempt to charge service-using agencies in amounts which would exactly cover the cost of services performed, the results of any miscalculations in this regard could never benefit the Administration.

At the suggestion of representatives from the General Accounting Office the committee amended subsection (f) in order that the accounting for the fund will be maintained on the accrual method and financial reports reflecting the status and condition of the fund will be prepared on the basis of such accounting. The committee further amended this subsection of the bill in order to place a ceiling of $10,000,000 on the amount of appropriations for the buildings management fund. This amendment was agreed to by the General Services Administration and it was the committee's belief that some limitation should be established on this fund which would not jeopardize or hinder the operations proposed thereunder.

In accordance with the standard accounting practices of private industry, this subsection also requires the capitalization of all available supplies and equipment used in the operation, maintenance, and repair of buildings. The General Services Administration estimates that, exclusive of office furniture, which it is not contemplated will be capitalized, the present depreciated value of these supplies and equipment will not exceed $10,000,000. Any appropriation of funds must be justified by submission of estimates to the Bureau of the Budget and the Appropriations Committees as provided by existing general law. Under this provision of the bill, however, the fund can be established and put in operation, on a modest basis, by capitalizing supplies and equipment and by transfers by way of advances from existing appropriations.

The bill, as amended by the committee, was approved in executive session by the General Services Administration, the Bureau of the Budget, the General Accounting Office, and the Department of the Interior. The Department of Defense also expressed accord with

the objectives and general purposes of the bill, subject to certain agreements entered into between that Department and the General Services Administration, and made of record at the hearings relative to certain aspects of the proposed procurement and supply functions involved.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (H. R. 5350), as reported, are shown as follows: (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

* * * * * * *

SEC. 3. As used in this Act—

(d) The term "property" means any interest in property of any kind except (1) the public domain (*including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws because such lands are not substantially changed in character by improvements*) and lands reserved or dedicated for national forest or national park purposes; (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines; and (3) records of the Federal Government.

* * * * * * *

(k) The term "contractor inventory" means (1) any property acquired by and in the possession of a contractor or subcontractor under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete full performance under the entire contract; and (2) any property which the Government is obligated *or has the option* to take over under any type of contract as a result either of any changes in the specifications or plans thereunder or of the termination of such contract (or subcontract thereunder), prior to completion of the work, for the convenience or at the option of the Government.

* * * * * * *

SEC. 109. (a) There is hereby authorized to be set aside in the Treasury a special fund which shall be known as the General Supply Fund. Such fund shall be composed of the assets of the general supply fund (including any surplus therein) created by section 3 of the Act of February 27, 1929 (45 Stat. 1342; 41 U. S. C. 7c), and transferred to the Administrator by section 102 of this Act, [and] such sums as may be appropriated thereto, *and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2) to the extent that payment is not made or credit allowed therefor*, and the fund shall assume all of the liabilities, obligations, and commitments of the general supply fund created by such act of February 27, 1929. The capital of the General Supply Fund shall be in an amount not greater than [$75,000,000.] *$150,000,000*. The General Supply Fund shall be available for use by or under the direction and control of the Administrator (1) for procuring personal property (including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents) and nonpersonal services for the use of Federal agencies in the proper discharge of their responsibilities, and (2) for paying the purchase price, transportation to first storage point of supplies and services, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property.

* * * * * * *

(f) Subject to the requirements of subsections (a) to (e), inclusive, of this section, the General Supply Fund also may be used for the procurement of supplies and nonpersonal services authorized to be acquired by mixed-ownership Government corporations, or by the municipal government of the District of Columbia, or by a requisitioning non-Federal agency when the function of a Federal agency

authorized to procure for it is transferred to the General Services Administration [: *Provided*, That the prices charged by the Administrator in such cases shall be fixed at levels which he estimates will be sufficient to recover, in addition to the direct costs of the procurement, handling, and distribution of such supplies and services, the indirect and overhead costs that the Administrator determines are allocable thereto].

* * * * * * *

SEC. 202. (a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies *and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: Provided, That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (h) or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b).*

* * * * * * *

(c) Each executive agency shall, as far as practicable, * * * (2) transfer excess property under its control to other Federal agencies *and to organizations specified in section 109 (f)*, and * * *

* * * * * * *

[(d) Under existing provisions of law and procedures defined by the Secretary of Defense, and without regard to the requirements of this section except subsection (f), excess property of one of the departments of the National Military Establishment may be transferred to another department thereof.]

[(e) Transfers of excess property between Federal agencies (except transfers for redistribution to other Federal agencies or for disposal as surplus property) shall be at the fair value thereof, as determined by, or pursuant to regulations of, the Administrator, unless such transfer is otherwise authorized by any law approved subsequent to June 21, 1944, to be without reimbursement or transfer of funds.]

[(f) The Director of the Bureau of the Budget shall prescribe regulations providing for the reporting to said Director by executive agencies of such reassignments or transfers of property between activities financed by different appropriations as he shall deem appropriate, and the reassignments and transfers so reported shall be reported to the Congress in the annual budget or otherwise as said Director may determine.]

* * * * * * *

SEC. 203. (e) Unless the Administrator shall determine that disposal by advertising will be in a given case better protect the public interest, surplus property disposals may be made without regard to any provision of existing law for advertising until 12 o'clock noon, eastern standard time, [December 31, 1950] *June 30, 1953; Provided, That an explanatory statement shall be prepared and submitted to the appropriate committees of Congress and a copy preserved in the file of all cases where negotiated disposal occurs.*

* * * * * * *

SEC. 203. (k) (2) * * *

(iii) to (I) grant releases from any of the terms, conditions, reservations, and restrictions contained in, and (II) convey, quitclaim, or release to the transferee or other eligible user any right or interest reserved to the United States by, any instrument by which such transfer was made, if he determines that the property so transferred no longer serves the purpose for which it was transferred, [and] *or* that such release, conveyance, or quitclaim deed will not prevent accomplishment of the purpose for which such property was so transferred: * * *

* * * * * * *

SEC. 206. (b) Each Federal agency shall utilize such uniform Federal supply catalog system *and standardized forms and procedures* and standard purchase

specifications, except as the Administrator, taking into consideration efficiency, economy, and other interests of the Government, shall otherwise provide.

* * * * * * *

SEC. 210. * * *

(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting. There is authorized to be appropriated to said Fund such sums as may be required, but not to exceed the amount of $10,000,000, and any stocks of supplies and any equipment, available for buildings management functions of the General Services Administration, on hand, or on order, on the date of establishment of said Fund, shall also be used to capitalize the Fund: Provided, That said Fund shall be credited with (1) annual advances for non-recurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the Fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: Provided further, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: Provided further, That said Fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 844) or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 345), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury.

* * * * * * *

Sec. 301. The purpose of this title is to facilitate the procurement of [supplies] *property* and services.

Sec. 302. (a) The provisions of this title shall be applicable to purchases and contracts for [supplies] *property* or services made—

* * * * * * *

The Administrator may delegate to the head of any other such agency authority to make purchases and contracts for [supplies] *property* or services pursuant to the provisions of this title * * *

(b) It is the declared policy of the Congress that a fair proportion of the total purchases and contracts for [supplies] *property* and services for the Government shall be placed with small-business concerns. Whenever it is proposed to make a contract or purchase in excess of $10,000 by negotiation and without advertising, pursuant to the authority of paragraph (7) or (8) of section 302 (c) of this title, suitable advance publicity, as determined by the agency head with due regard to the type of [supplies] *property* involved and other relevant considerations, shall be given for a period of at least fifteen days, wherever practicable, as determined by the agency head.

(c) All purchases and contracts for [supplies] *property* and services shall be made by advertising, as provided in section 303, except that such purchases and contracts may be negotiated by the agency head without advertising if—

* * * * * * *

(3) the aggregate amount involved does not exceed $1,000: *Provided*, that no agency other than the General Services Administration shall make any purchase of, or contract for, [supplies] *property* or services in excess of $500 under this paragraph except in the exercise of authority conferred by the Administrator to procure and furnish [supplies] *property* and services for the use of two or more executive agencies:

* * * * * * *

(6) the [supplies] *property* or services are to be procured and used outside the limits of the United States and its possessions;

(7) for medicines or medical [supplies] *property;*

(8) for [supplies] *property* purchased for authorized resale;

(9) for [supplies] *property* or services for which it is impracticable to secure competition;

(10) the agency head determines that the purchase or contract is for experimental, developmental, or research work, or for the manufacture or furnishing of [supplies] *property* for experimentation development, research, or test: *Provided*, That beginning six months after the effective date of this title and at the end of each six month period thereafter, there shall be furnished to the Congress a report setting forth the name of each contractor with whom a contract has been entered into pursuant to this paragraph (10) since the date of the last such report, the amount of the contract, and, with due consideration given to the national security, a description of the work required to be performed thereunder;

(11) for [supplies] *property* or services as to which the agency head determines that the character, ingredients, or components thereof are such that the purchase or contract should not be publicly disclosed;

* * * * * * *

(13) for [supplies] *property* or services as to which the agency head determines that bid prices after advertising therefor are not reasonable (either as to all or as to some part of the requirements) or have not been independently arrived at in open competition: * * *

* * * * * * *

SEC. 303. Whenever advertising is required—

(a) The advertisement for bids shall be made a sufficient time previous to the purchase or contract, and specifications and invitations for bids shall permit such full and free competition as is consistent with the procurement of types of [supplies] *property* and services necessary to meet the requirements of the agency concerned.

* * * * * * *

SEC. 305. (a) The agency head may make advance payments under negotiated contracts heretofore or hereafter executed in any amount not exceeding the contract price upon such terms as the parties shall agree: *Provided*, That advance payments shall be made only upon adequate security and if the agency head determines that provision for such advance payments is in the public interest or in the interest of the national defense and is necessary and appropriate in order to procure required [supplies] *property* or services under the contract.

(b) The terms governing advance payments may include as security provision for, and upon inclusion of such provision there shall thereby be created, a lien in favor of the Government, paramount to all other liens, upon the [supplies] *property* contracted for, upon the credit balance in any special account in which such payments may be deposited and upon such of the material and other property acquired for performance of the contract as the parties shall agree.

* * * * * * *

SEC. 309. As used in this title—

(a) The term "agency head" shall mean the head or any assistant head of any executive agency, and may at the option of the Administrator include the chief official of any principal organizational unit of the General Services Administration.

[(b) The term "supplies" shall mean all property except land, and shall include, by way of description and without limitation, public works, buildings, facilities, ships, floating equipment, and vessels of every character, type, and description (except the categories of naval vessels named in section 3 (d)), aircraft, parts, accessories, equipment, machine tools and alteration or installation thereof.]

SEC. 310. (*a*) The following provisions of law shall not apply to the procurement of [supplies] *property* or services (1) by the General Services Administration, or (2) within the scope of authority delegated by the Administrator to any other executive agency:

Revised Statutes, section 3709, as amended (41 U. S. C. 5);

Revised Statutes, section 3735 (41 U. S. C. 13);

Sections 1 and 2 of the Act of October 10, 1940 (54 Stat. 1109, as amended; 41 U. S. C. 6 and 6a).

(*b*) *Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act.*

* * * * * * *

SEC. 507. (c) The Administrator shall make provisions for the preservation, arrangement, repair and rehabilitation, duplication and reproduction (including microcopy publications), description, and exhibition of records *or other docu-*

mentary material transferred to him as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use; *and he may also prepare guides and other finding aids to Federal records* and, when approved by the National Historical Publications Commission, [he may also] publish such historical works and collections of sources as seem appropriate for printing or otherwise recording at the public expense.

* * * * *

(e) The administrator may accept for deposit—

* * * * * * *

(2) *documents, including* motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

* * * * * * *

WORLD WAR VETERANS' ACT, 1924, AS AMENDED

* * * * * * *

SEC. 29. The Administrator of Veterans' Affairs is authorized, in his discretion, to lease for a term, not exceeding three years, lands or buildings, or parts or parcels thereof, belonging to the United States and under the control of the Veterans' Administration. *The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts.*

○

Calendar No. 2000

82D CONGRESS
2D SESSION

H. R. 5350

[Report No. 2075]

IN THE SENATE OF THE UNITED STATES

MAY 20 (legislative day, MAY 12), 1952
Read twice and referred to the Committee on Government Operations

JULY 2 (legislative day, JUNE 27), 1952
Reported by Mr. MCCLELLAN, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, Eighty-first Congress), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general

public land laws *because such lands are not substantially changed in character by improvements)*".

(b) By inserting after "obligated" in section 3 (k) "or has the option".

(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2) *to the extent that payment is not made or credit allowed therefor,*".

~~(d) By deleting the third sentence of section 109 (a).~~

(d) By deleting the figure "$75,000,000" in the third sentence of section 109 (a) and inserting in lieu thereof the figure "$150,000,000".

(e) By deleting the proviso in section 109 (f).

(f) By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers

of excess property: *Provided,* That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b)."

(g) By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and to organizations specified in section 109 (f), and".

(h) By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

(i) By striking from section 203 (e) the words "December 31, 1950" and inserting in lieu thereof the words "June 30, 1953: *Provided,* That an explanatory statement shall be *prepared and submitted to the appropriate committees of Congress and a copy* preserved in the file of all cases where negotiated disposal occurs."

(j) By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that".

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures".

(l) By adding a new subsection (f) to section 210, to read as follows:

"(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. *Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting.* There is authorized to be appropriated to said fund such sums as may be required, *but not to exceed the amount of $10,000,000,* and any stocks of supplies and any equipment, available for ~~buildings,~~ *buildings* management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: *Provided,* That said fund shall be credited with (1) annual advances for nonrecurring expenses, quarterly advances for other ex-

penses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: *Provided further,* That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided further,* That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. ~~245~~ *345*), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury."

(m) By striking "supplies" wherever it appears in title III and substituting therefor "property".

(n) By inserting "(a)" after "SEC. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act."

(o) By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records", and by deleting after "Commission" therein "he may also".

(p) By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings".

SEC. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the Act of October 31, 1951 (Public Law 247, Eighty-second Congress), is further amended by adding at

the end thereof the following sentence: "The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts."

Passed the House of Representatives May 19, 1952.

Attest: RALPH R. ROBERTS,

Clerk.

Calendar No. 2000

82D CONGRESS
2D SESSION

H. R. 5350

[Report No. 2075]

AN ACT

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

MAY 20 (legislative day, MAY 12), 1952
Read twice and referred to the Committee on Government Operations

JULY 2 (legislative day, JUNE 27), 1952
Reported with amendments

Senate July 3, 1954

8. NOMINATION. The Public Works Committee reported favorably the nomination of Raymond Ross Paty to the TVA Board (p. 9177).

9. RETIREMENT. Senate conferees were appointed on S. 2968, to increase the annuities under the Civil Service Retirement Act (pp. 9178-9).

10. BUDGETING. Passed without amendment S. Con. Res. 27, to provide for a consolidated appropriation bill each year. Later, at the request of Sen. Hayden, the vote was reconsidered and the measure was passed over. (p. 9182.)

11. PERSONNEL. Passed without amendment S. 1811, to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government personnel. Later, at the request of Sen. Morse, the vote was reconsidered and the bill was passed over. (p. 9184.)

12. INVESTIGATIONS. Passed without amendment S. J. Res. 143, to authorize a special investigator and a staff to investigate improper and illegal conduct in the transaction of Government business, etc. (pp. 9184-5).

13. PURCHASING. Passed with amendment S. 2487, to permit review of decisions of Government contracting officers involving questions of fact arising from Government contracts in cases other than those in which fraud is alleged (pp. 9188-9).

14. SCHOOL LUNCH PROGRAM. Passed as reported H. R. 1732, to amend the National School Lunch Act so as to provide for the apportionment of additional funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands (p. 9189).

15. TRANSPORTATION. Passed as reported S. 2364, to authorize ICC to revoke or amend, under certain conditions, water-carrier certificates and permits. Later, at the request of Sen. Aiken, the vote was reconsidered and the bill was passed over. (pp. 9190-1.)

16. COST-OF-LIVING ALLOWANCES. Passed without amendment S. 2008, to permit payment of cost-of-living allowances to Government employees outside continental U. S. in excess of 25% of the rate of basic pay (p. 9194).

17. RECLAMATION. Passed without amendment H. R. 6723, to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district; and to authorize the execution of contracts on the North Platte Federal reclamation project (pp. 9195-6). This bill will now be sent to the President.

Passed without amendment H. R. 6163, to authorize irrigation works in connection with Chief Joseph Dam (p. 9268). This bill will now be sent to the President.

Sen. Douglas inserted correspondence with the Army and Interior Departments concerning cost allocations, repayments, and the application of reclamation law to the Kings River project, Calif. (pp. 9308-12).

18. FARM TENANT LOANS. Passed without amendment H. R. 4799, to amend Sec. 73 (i) of the Hawaiian Organic Act so as to authorize sale of homestead lots under the Bankhead-Jones Farm Tenant Act (p. 9197). This bill will now be sent to the President.

19. PERSONNEL. Passed with amendment H. R. 7806, to authorize participation of certain Federal employees, without loss of pay or deduction from annual leave,

in funerals for deceased members of the Armed Forces returned to the U. S. from abroad for burial (p. 9206).

20. MINERALS. Passed without amendment H. R. 5788, to extend certain 10-year oil and gas leases (p. 9207). This bill will now be sent to the President.

21. WATER COMPACT. Passed as reported H. R. 2470, granting consent to Idaho, Montana, Oregon, Washington, and Wyoming to enter into a compact for division of Columbia River waters (pp. 9207-8, 9246).

22. PERSONNEL. Passed without amendment H. R. 7641, to provide benefits for certain Federal employees of Japanese ancestry who lost certain rights with respect to grade, time in grade, and rate of pay by reason of any policy or program of the Government with respect to such persons during World War II (p. 9208). This bill will now be sent to the President.

23. FLAMMABLE FABRICS. Passed as reported S. 2918, to prohibit interstate transportation in dangerous flammable fabrics (pp. 9214-7).

24. VETERANS' PREFERENCE. Passed with amendment H. R. 7721, to extend the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the U. S. after World War II and before July 2, 1955 (pp. 9235-6).

25. FORESTRY. Passed without amendment H. R. 5055, to authorize exchange of certain U. S. lands in Ontonagon County, Mich., for lands within the Ottawa National Forest (p. 9238). This bill will now be sent to the President.

26. INSECT RESEARCH. Passed without amendment H. R. 7952, to authorize combination of the Truck Crop Insect Laboratory and the Citrus Insect Laboratory of E&PQ at Alhambra and Whittier, Calif., respectively, and to provide for new quarters (p. 9238). This bill will now be sent to the President.

27. TOBACCO ALLOTMENTS. Discussed and passed over, at the request of Sen. Clements, H. R. 8170, to authorize reductions in the minimum farm acreage allotments for burley tobacco (p. 9238).

28. PROPERTY; ADMINISTRATIVE SERVICES. Passed as reported H. R. 5350, to amend the Federal Property and Administrative Services Act so as to increase the capital of the general supply fund, allow greater flexibility in determining the amount of reimbursement for transfer of excess property among executive agencies, extend for 1 year the authority to dispose of surplus property by negotiation, and authorize the establishment of a buildings-management working capital fund (pp. 9243-4).

29. EMERGENCY POWERS. Passed as reported S. J. Res. 165, to continue various war-time emergency powers (pp. 9301-2).

Agreed to the conference report on H. J. Res. 477, to continue various war-time emergency powers (p. 9265).

30. AIR POLLUTION RESEARCH. The Labor and Public Welfare Committee reported without amendment H. J. Res. 218, to provide for intensified research into the causes, hazards, and effects of air pollution, into methods for its prevention and control, and for recovery of critical materials from atmospheric contaminants (S. Rept. 2079)(p. 9298).

31. WATER POLLUTION. The Public Works Committee reported without amendment H. R. 6856, to extend the Water Pollution Act (S. Rept. 2092)(p. 9298).

SETTLEMENT OF LABOR DISPUTES—BILL PASSED OVER

The bill (H. R. 2999) to amend the Labor-Management Relations Act, 1947, so as to provide a more effective method of dealing with labor disputes in vital industries which affect the public interest, was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

Mr. HENDRICKSON. Mr. President, may we have an explanation?

The PRESIDING OFFICER. Objection was made by the Senator from Nevada [Mr. McCARRAN].

Mr. HENDRICKSON. I did not hear the objection.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

LOAN OF NAVAL VESSELS TO JAPAN

The Senate proceeded to consider the bill (H. R. 8222) to authorize the loan of certain naval patrol-type vessels to the Government of Japan.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

Mr. HUNT. Mr. President, the bill would authorize the loan of certain patrol-type vessels to the Japanese Government for a period of 5 years, subject to a 5-year renewal if agreed to by the two Governments.

Obviously the coastal waters in the vicinity of Japan will require patrolling. At this time the Japanese Government does not have suitable vessels. Hence, it is to our own national interest to loan the Japanese Government adequate patrol-type craft for the mission involved.

The Department of Defense assures us that excess craft are available, and that this arrangement will contribute materially to our own national security, with a saving of our manpower. No cost whatsoever to the United States Government is involved.

I may say that these vessels are practically "sitting ducks" at the present time. They are deteriorating, because they are not suitable for moth balling.

Mr. SCHOEPPEL. Mr. President, do I correctly understand that there will be no cost to our Government, and that the vessels will be rehabilitated before they are returned?

Mr. HUNT. The arrangement is to the effect that they will be returned in as good condition as they are received by the Japanese Government.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

TRIBUTE TO SENATORS HENDRICKSON AND SCHOEPPEL

Mr. HUNT. Mr. President, as an individual Senator I wish at this time to pay my compliments and tender my thanks to the minority calendar committee, consisting of the Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. SCHOEPPEL]. They have handled this type of work through both sessions of the Eighty-second Congress. I think their work has been notable. They have been studious in carrying on the work of the calendar committee. Personally, I wish to thank them and compliment them and their staff.

The PRESIDING OFFICER (Mr. STENNIS in the chair). On behalf of the other 93 Senators, the present occupant of the chair joins in the compliment.

Mr. HENDRICKSON. Mr. President, the junior Senator from New Jersey wishes to thank the distinguished Senator from Wyoming and the distinguished Senator from Mississippi, who is now occupying the Chair for the very fine compliment paid the minority calendar committee.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

The Senate proceeded to consider the bill (H. R. 5350) to amend further the Federal Property and Administrative Service Act of 1949, as amended, and for other purposes, which had been reported from the Committee on Government Operations with amendments.

The first amendment of the Committee on Government Operations was, on page 2, line 1, after the word "laws," to insert "because such lands are not substantially changed in character by improvements)".

The amendment was agreed to.

The next amendment was, on page 2, line 10, after "(2)" to insert "to the extent that payment is not made or credit allowed therefor."

The amendment was agreed to.

The next amendment was on page 2, to strike out "(d) By deleting the third sentence of section 109 (a)." and insert "(d) By deleting the figure '$75,000,000' in the third sentence of section 109 (a) and inserting in lieu thereof the figure '$150,000,000'."

The amendment was agreed to.

The next amendment was, on page 3, line 23, after the words "shall be" to insert "prepared and submitted to the appropriate committees of Congress and a copy".

The amendment was agreed to.

The next amendment was, on page 4, line 14, after "Administration" to insert "Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting."

The amendment was agreed to.

The next amendment was, on page 4, line 18, after the word "required" to insert "but not to exceed the amount of $10,000,000".

The amendment was agreed to.

The next amendment was, on page 2, line 20, after the word "for" to strike out "buildings," and insert "buildings".

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to insert:

SEC. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the act of October 31, 1951 (Public Law 247, Eighty-second Congress), is further amended by adding at the end thereof the following sentence: "The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts."

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is desired.

Mr. McCLELLAN. Mr. President, this is a bill to amend the Federal Property and Administrative Services Act. The amendments are based upon the experiences under the act. The General Services Administration was directed to make a continuous study and report back to Congress the changes which were needed.

These amendments are principally to clarify certain provisions of the act, and also to provide a little greater flexibility in the administration of the act.

The bill would do four things. First, it would increase the capital of the general supply fund, the revolving fund, from the present statutory ceiling of $75,000,000 to $150,000,000. The need for such an increase arises because of the fact that the General Services Administration now is beginning to take over the supply of common-use articles and commodities which are purchased by the military. They are now working on a program which will enable the Defense Department to obtain most of its common-use supplies through the General Services Administration, as the civil agencies of the Government do. It is necessary to increase the amount of the revolving fund so as to make it possible for them to have the proper supplies on hand necessary to service the military, or the Defense Department, along with the civil agencies.

The second reason is to allow greater flexibility in determining the amount of reimbursement for transfer of excess property among executive agencies. The General Services Administration takes into custody all surplus property of the Federal Government. When it is once declared surplus by a Government agency it is taken into custody by the General Services Administration. Before it can sell such property to the public as surplus property, or sell it to private purchasers, it must submit to all the other agencies of Government a list of the property, to determine whether or not they are interested. Much of the personal property which is taken in as surplus is property which other agencies of Government can use, but presently the other agencies of Government must reimburse the General Services Administration for the price of the property.

As an illustration, if an agency has 100 or 1,000 desks and some other agency of the Government wishes to buy 50 desks, it is not going to pay the full price of such desks if it can obtain new ones for a little higher price. The result is

that the property is left there as surplus, to be sold to the public at 10 cents on the dollar. The bill would allow some flexibility in negotiating with other agencies of Government as to the extent to which the other agencies will reimburse the General Services Administration for the property. In my opinion, considerable money can be saved, because when the property is put on the market through private enterprise, it is practically dumped on the market.

The third thing accomplished by the bill is to extend to June 30, 1953, the authority to dispose of surplus property by negotiation.

The fourth thing accomplished by the bill is to authorize the establishment of a buildings-management working capital fund.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

AMENDMENT OF SECTION 3841 OF THE REVISED STATUTES—MOTION TO RECONSIDER—BILL PASSED OVER

Mr. JOHNSON of Colorado. Mr. President, while I was answering a telephone call earlier today Calendar No. 1720, H. R. 7205, was passed by the Senate. I move the Senate reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 7205) to amend section 3814 of the Revised Statutes relating to the schedules of the arrival and departure of the mail, to repeal certain obsolete laws relating to the postal service, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to.

Mr. JOHNSON of Colorado. Mr. President, I ask that the bill go over, by request.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

REGULATION OF THE PRACTICE OF PHARMACY IN THE DISTRICT OF COLUMBIA—REQUEST TO RECONSIDER

Mr. LANGER. Mr. President, while the Senator from North Dakota was engaged on another matter the Senate passed Calendar No. 1397, S. 2291, to amend the laws of the District of Columbia to regulate the practice of pharmacy and the sale of poisons, and for other purposes, as enacted by Congress May 7, 1906, and as amended February 27, 1907, and as amended March 4, 1927 (D. C. Code of 1929, title 20, sec. 2–601, and the following). I ask unanimous consent that the Senate reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Mr. CASE. Mr. President, reserving the right to object, should not the Senate first consider bills which were placed at the foot of the calendar?

The PRESIDING OFFICER. The Chair understands that the Senator from North Dakota states that the bill was passed. Is there objection to the request of the Senator from North Dakota?

Mr. BUTLER of Maryland. I object.

The PRESIDING OFFICER. Objection is heard.

SUPPLEMENTAL APPROPRIATIONS, 1953

The bill (H. R. 8370) making supplemental appropriations for the fiscal year ending June 30, 1953, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, the bill is not a calendar bill.

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. Mr. President, we are ready to bring up that bill, but first the Senate should dispose of the bills which were passed to the foot of the calendar.

The PRESIDING OFFICER. For the information of the Senate, approximately eight bills were placed at the foot of the calendar.

Mr. McFARLAND. Mr. President, I should like to request that, when there is objection to a bill, Senators do not make another speech. It is very important that we proceed with the work of the Senate as rapidly as we can if we are to adjourn by Saturday.

The PRESIDING OFFICER. The Senator from Ariozna has made a very timely observation.

RELIEF OF S. A. HEALY CO.—BILL PASSED OVER

The PRESIDING OFFICER. Without objection, the clerk will state the first bill placed at the foot of the calendar.

The LEGISLATIVE CLERK. A bill (H. R. 1590) for the reimbursement of the S. A. Healy Co.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard, the bill goes over.

IMMUNITY PROVISIONS WITH REFERENCE TO WITNESSES APPEARING BEFORE CONGRESS—BILL PASSED OVER

The PRESIDING OFFICER. The clerk will state the next bill passed to the foot of the calendar.

The LEGISLATIVE CLERK. A bill (S. 1570) to amend the immunity provisions relating to testimony given by witnesses before either House of Congress or their committees.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McFARLAND. Mr. President, much as I hate to do so, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

CONTINUATION OF CERTAIN STATUTORY PROVISIONS FOR THE DURATION OF THE NATIONAL EMERGENCY—JOINT RESOLUTION PASSED OVER

The PRESIDING OFFICER. The clerk will state the next measure passed to the foot of the calendar.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 165) to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. CASE. Mr. President, reserving the right to object, I understand that the Senator from Montana [Mr. MURRAY] wishes to offer an amendment which would strike out all after the enacting clause and insert some new language which relates solely and only to the Public Health Service. The bill as reported deals with the extension of certain war powers, which were discussed at length a short time ago.

I ask unanimous consent to place in the RECORD a letter which I received from the Comptroller General under date of June 17, 1952, together with a memorandum which I received from him.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, June 17, 1952.

Hon. FRANCIS CASE,
United States Senate.

MY DEAR SENATOR: Reference is made to your telephone inquiry to me of June 13, 1952, concerning section 5 of Senate Joint Resolution 139 appearing at page 7235 of the CONGRESSIONAL RECORD for June 12, 1952, and commented upon by you during the debate, which resulted in the adoption by the Senate of a 15-day extension of certain emergency powers of the President in passing House Joint Resolution 477.

I am glad to send you the attached memorandum prepared in the General Accounting Office analyzing and commenting upon the similar section 5 of Senate Joint Resolution 165 reported from the Committee on the Judiciary June 12, 1952.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

MEMORANDUM ON SENATE JOINT RESOLUTION 165

Section 5 of Senate Joint Resolution 165 would amend the War Contractors Relief Act, approved August 7, 1946, known as the Lucas Act, by adding three additional sections thereto. The first section proposed to

Speech in the House by Rep. Multer stating that the defense production bill was not good but was better than having no controls at all (pp. A4454-5).

51. APPROPRIATION INVESTIGATIONS. Extension of remarks of Rep. Bates discussing his proposed bill to amend the Legislative Reorganization Act of 1946 so as to provide the Armed Services and Appropriations Committees with staffs adequate to keep them fully informed (p. 4455).

52. FARM PROGRAM. Extension of remarks of Rep. Hill discussing the principle of "parity," outlining the history of some of the basic agricultural laws, and commending USDA programs for aid to the farmer (pp. A4458-9).

53. RETIREMENT. Speech in the House by Rep. McDonough favoring an increase in pensions for retired Federal employees (p. A4458).

HOUSE - July 4, 1952

54. DEFENSE APPROPRIATION BILL, 1953. Agreed to the conference report on this bill, H. R. 7391 (pp. 9517, 9482-97). The conferees agreed to add cotton and reprocessed and reused wool to the provision governing procurement of food and clothing not produced in the U. S.

55. STATE, JUSTICE, COMMERCE, JUDICIARY APPROPRIATION BILL, 1953. Agreed to the conference report on this bill, H. R. 7289 (pp. 9517, 9498-504). The conferees agreed on a provision that no appropriation may be used for U. S. membership in the International Materials Conference but explained that this does not preclude the State Department from observing the activities as a non-member; fixed the census of agriculture item at $120,700 (House figure, $125,000; Senate, $116,382); and agreed to $5,750,000 (House figure; Senate, $5,504,300) for export control, Commerce Department.

56. PERSONNEL RETIREMENT. Received the conference report on S. 2968, to increase the annuities of certain retired Federal employees (pp. 9511-12, 9517).

57. RURAL HOUSING. By a 295-22 vote, agreed to the conference report on S. 3066, to amend the housing laws. One provision of this bill extends the rural-housing program, administered by this Department, for 1 year. (pp. 9450-53.) This bill will now be sent to the President.

58. SUPPLEMENTAL APPROPRIATION BILL, 1953. House conferees were appointed on this bill, H. R. 8370 (p. 9451). Senate conferees were appointed July 3.

59. WITHHOLDING PAY. Vacated proceedings of passage on July 3 of S. 1999, providing for the withholding of pay from Federal employees for State and local income-tax purposes, and again passed the bill with a correcting amendment that provided new language (pp. 9447-8).

60. PROPERTY; ADMINISTRATIVE SERVICES. Agreed to the Senate amendments to H. R. 5350, to amend the Federal Property and Administrative Services Act of 1949 (pp. 9464-5). For provisions see item 28. This bill will now be sent to the President.

61. SCHOOL LUNCH PROGRAM. Agreed to the Senate amendments to H. R. 1732, to increase the allotments for school lunches to Alaska, Hawaii, Guam, Puerto Rico, and the Virgin Islands (p. 9465). This bill will now be sent to the President.

62. RECLAMATION. Agreed to a Senate amendment to H. R. 6163, providing the basis

for authorization of a study and report of irrigation works in connection with Chief Joseph Dam, and to provide for financial assistance thereto from power revenues (p. 9506). This bill will now be sent to the President.

63. VETERANS' PREFERENCE. Agreed to a Senate amendment to H. R. 7721, extending the Veterans' Preference Act of 1944 to persons serving in the armed forces after World War II and prior to July 2, 1955 (p. 9507). This bill will now be sent to the President.

64. CENSUS. Agreed to a Senate amendment to H. R. 7202, to provide that a census of agriculture be taken in Oct. 1954 and the same month in each tenth year thereafter (p. 9507). This bill will now be sent to the President.

65. PERSONNEL. Agreed to the Senate amendments to H. R. 7806, to authorize participation by certain Federal employees, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned from abroad for burial (p. 9507). This bill will now be sent to the President.

66. FOREIGN TRADE. Agreed to a Senate amendment to H. R. 6845, to continue until June 30, 1953, the suspension of duties and import taxes on metal scrap, etc. (p. 9508). This bill will now be sent to the President.

67. PATENTS. Agreed to a Senate amendment to H. R. 7794, to revise and codify the laws relating to patents (p. 9508). This bill will now be sent to the President.

68. EDUCATION. Passed as reported H. R. 7494, to encourage the development and growth of the educational fine arts in State and land-grant colleges and other non-profit schools and organizations (p. 9466).

69. WATER COMPACT. Agreed to the Senate amendments to H. R. 2470, granting consent for an interstate compact regarding Columbia River waters (p. 9468). This bill will now be sent to the President.

70. PERSONNEL; PATENTS. Agreed to a Senate amendment to H. R. 3975, permitting a Government employee, and his joint patentee, not in government service, who make an invention completely outside of official functions, to maintain a suit against the Government (pp. 9510-11). This bill will now be sent to the President.

71. TRANSPORTATION. Passed with amendment S. 3161, to provide for filing of equipment trust agreements on railroad equipment (p. 9511).

72. FLAMMABLE MATERIALS. The Interstate and Commerce Committee ordered reported (but did not actually report) S. 2918, to prohibit movement in interstate commerce of highly flammable wearing apparel and fabrics (p. D706).

73. MISSOURI BASIN. Received from this Department a supplemental report on the Missouri Basin Agricultural Program (H. Doc. 530)(p. 9516).

74. SOCIAL SECURITY. Extension of remarks of Rep. Garmatz supporting H. R. 7800, to increase retirement benefits under the Social Security Act (pp. 9504-5).

75. WEATHER CONTROL. Received the fourth interim report by the Chief of the Weather Bureau on the study of causes and characteristics of thunderstorms; to Interstate and Foreign Commerce Committee (pp. 9516-7).

Howell	Miller, Calif.	Scott, Hardie
Hull	Miller, Md.	Scrivner
Hunter	Miller, Nebr.	Scudder
Ikard	Miller, N. Y.	Secrest
Irving	Mills	Seely-Brown
Jackson, Calif.	Morgan	Shafer
Jackson, Wash.	Multer	Shelley
James	Mumma	Sheppard
Jarman	Murdock	Sieminski
Javits	Murphy	Simpson, Ill.
Jenison	Murray	Simpson, Pa.
Jenkins	Nicholson	Sittler
Jensen	Norblad	Smith, Kans.
Jones, Ala.	Norrell	Smith, Miss.
Jones, Mo.	O'Brien, Ill.	Smith, Va.
Jones, Hamilton C.	O'Brien, N. Y.	Smith, Wis.
	O'Konski	Spence
Jones, Woodrow W.	O'Neill	Springer
	Osmers	Staggers
Karsten, Mo.	Ostertag	Stanley
Kearns	O'Toole	Steed
Keating	Passman	Stockman
Kee	Patten	Talle
Kelley, Pa.	Patterson	Teague
Kelly, N. Y.	Perkins	Thomas
Kerr	Philbin	Thompson, Mich.
Kersten, Wis.	Phillips	
Kilday	Polk	Thornberry
King, Calif.	Poulson	Tollefson
Kirwan	Preston	Trimble
Lane	Priest	Vail
Lanham	Prouty	Van Pelt
Lantaff	Rabaut	Van Zandt
LeCompte	Radwan	Velde
Lind	Rains	Vorys
Lovre	Ramsay	Walter
Lucas	Rankin	Weichel
McCarthy	Reams	Werdel
McCormack	Reed, Ill.	Wharton
McCulloch	Reed, N. Y.	Wheeler
McDonough	Rees, Kans.	Whitten
McGrath	Rhodes	Widnall
McGuire	Ribicoff	Wier
McIntire	Riehlman	Wigglesworth
McMullen	Riley	Williams, Miss.
McVey	Rivers	Williams, N. Y.
Machrowicz	Roberts	Wilson, Ind.
Mack, Ill.	Rodino	Wilson, Tex.
Mack, Wash.	Rogers, Colo.	Winstead
Madden	Rogers, Fla.	Withrow
Magee	Rogers, Mass.	Wolverton
Mahon	Rogers, Tex.	Wood, Ga.
Mansfield	Rooney	Wood, Idaho
Marshall	Roosevelt	Yates
Martin, Iowa	Ross	Yorty
Mason	Sadlak	Zablocki
Meader	Saylor	
Merrow	Schenck	

NAYS—1

Taber

NOT VOTING—107

Abernethy	George	Moulder
Allen, La.	Hall, Edwin Arthur	Nelson
Anfuso	Harden	O'Brien, Mich.
Bailey	Hébert	O'Hara
Bates, Ky.	Heller	Patman
Beall	Herter	Poage
Beckworth	Heselton	Potter
Bender	Hillings	Powell
Bentsen	Hoffman, Ill.	Price
Blackney	Hoffman, Mich.	Redden
Brehm	Hope	Reece, Tenn.
Brooks	Johnson	Regan
Brown, Ohio	Jonas	Richards
Buckley	Judd	Robeson
Buffett	Kean	Sabath
Burdick	Kearney	St. George
Butler	Kennedy	Sasscer
Carlyle	Keogh	Scott, Hugh D., Jr.
Cole, N. Y.	Kilburn	Sheehan
Combs	King, Pa.	Short
Cooper	Klein	Sikes
Coudert	Kluczynski	Stigler
Curtis, Mo.	Larcade	Sutton
Curtis, Nebr.	Latham	Tackett
Davis, Tenn.	Lesinski	Taylor
Dawson	Lyle	Thompson, Tex.
Dolliver	McConnell	Vinson
Durham	McGregor	Vursell
Eaton	McKinnon	Watts
Elston	McMillan	Welch
Evins	Martin, Mass.	Wickersham
Fenton	Mitchell	Willis
Fine	Morano	Wolcott
Fisher	Morris	Woodruff
Forrester	Morrison	
Fugate	Morton	
Furcolo		

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Redden with Mr. Brown of Ohio.
Mr. Fugate with Mr. Cole of New York.
Mr. Bentsen with Mr. Beall.
Mr. Price with Mr. Blackney.
Mr. Forrester with Mr. Wolcott.
Mr. Keogh with Mr. Taylor.
Mr. Klein with Mr. Sheehan.
Mr. Anfuso with Mr. Short.
Mr. Heller with Mrs. St. George.
Mr. Powell with Mr. Reece of Tennessee.
Mr. Hébert with Mr. Potter.
Mr. Buckley with Mr. Woodruff.
Mr. Kennedy with Mr. Latham.
Mr. Bates of Kentucky with Mr. Kilburn.
Mr. Kluczynski with Mr. Judd.
Mr. Sabath with Mr. Bender.
Mr. Sasscer with Mr. Hoffman of Michigan.
Mr. Sikes with Mr. Hillings.
Mr. Robeson with Mr. Herter.
Mr. Lesinski with Mr. George.
Mr. Larcade with Mr. Fenton.
Mr. Cooper with Mr. Elston.
Mr. Dawson with Mr. Coudert.
Mr. Evins, with Mr. Vursell.
Mr. Fine with Mr. Hugh D. Scott, Jr.
Mr. Furcolo with Mr. Edwin Arthur Hall.
Mr. McKinnon with Mr. McConnell.
Mr. Mitchell with Mr. McGregor.
Mr. Abernethy with Mr. Johnson.
Mr. McMillan with Mr. Jonas.
Mr. Morris with Mr. Kean.
Mr. Morrison with Mr. Kearney.
Mr. Moulder with Mr. King of Pennsylvania.
Mr. Patman with Mr. Hope.
Mr. Vinson with Mr. Hoffman of Illinois.
Mr. Welch with Mr. Heselton.
Mr. Wickersham with Mr. Nelson.
Mr. Willis with Mr. Morton.
Mr. Watts with Mr. Butler.
Mr. O'Brien of Michigan with Mr. Dolliver.
Mr. Davis of Tennessee with Mrs. Harden.
Mr. Allen of Louisiana with Mr. Curtis of Nebraska.
Mr. Lyle with Mr. Burdick.
Mr. Fisher with Mr. Brehm.
Mr. Durham with Mr. Buffett.
Mr. Bailey with Mr. Curtis of Missouri.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OF CERTAIN HOUSE RESOLUTIONS CHANGING NAME OF COMMITTEE

Mr. HOLIFIELD. Mr. Speaker, I offer a resolution (H. Res. 737) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That House Resolutions 124 and 623, Eighty-second Congress, be, and they are hereby, amended by striking out "Committee on Expenditures in the Executive Departments" where it appears in the said resolutions and inserting in lieu thereof "Committee on Government Operations."

The resolution was agreed to.

A motion to reconsider was laid on the table.

CORRECTION OF VOTE

Mr. HOFFMAN of Michigan. Mr. Speaker, on roll call No. 131 I am not recorded as having voted. I was present and voted "nay." I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, on roll call No. 133, I am recorded as voting "aye." I voted "no." I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 6945. An act for the relief of Katharina Hoffman;

H. R. 7095. An act for the relief of Ruth Ann Holecek;

H. R. 8052. An act for the relief of Ai-Ling Tung Tsou and her son, Moody Tsou;

H. R. 8315. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and

H. R. 8316. An act granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes.

The message also anounced that the Senate had passed bills, concurrent resolutions, and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 107. An act to promote the rehabilitation of the Papago Tribe of Indians and a better utilization of the resources of the Papago Tribe, and for other purposes;

S. 142. An act for the relief of Vito Rizzi;

S. 525. An act for the relief of Jacob Gitlin;

S. 624. An act for the relief of Hajna Sepsi;

S. 697. An act for the relief of Teh-Jen Lee;

S. 960. An act to authorize an agreement between the United States and Mexico for the joint operation and maintenance by the International Boundary and Water Commission, United States and Mexico, of the Nogales sanitation project, and for other purposes;

S. 1126. An act for the relief of Vera Sarah Keenan;

S. 1238. An act authorizing the Secretary of the Interior to issue a patent in fee to Eileen Ida Sanders;

S. 1358. An act for the relief of George Prokofieff de Seversky and Isabelle Prokofieff de Seversky;

S. 1393. An act to amend section 67 of the National Defense Act, as amended, to provide for an active-duty status for all United States property and fiscal officers, and for other purposes;

S. 1433. An act for the relief of Malica Macesich;

S. 1588. An act to amend the Air Commerce Act of 1926, as amended;

S. 1596. An act for the relief of Phed Vosniacos;

S. 1613. An act for the relief of Lian-Tong Wen and Kim Fong Chen;

S. 1716. An act for the relief of Sister Odilia, also known as Maria Hutter;

S. 1780. An act for the relief of Dr. Alexander D. Moruzi;

S. 1816. An act for the relief of Shizu Hasegawa Crockett;

S. 1829. An act to repeal the provision of the act of July 1, 1902 (32 Stat. 662), as amended, relating to pay of civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska;

S. 1916. An act for the relief of Olga Madsen, a minor;

S. 1927. An act for the relief of Francesco Cracchiolo;

S. 1966. An act for the relief of Michael Cosmo Zullo;

S. 2008. An act to permit payment of certain cost-of-living allowances outside the continental United States at rates in excess of 25 percent of the rate of basic compensation;

S. 2046. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Llewellyn B. Griffith for retirement as an emergency officer under the provisions of the Emergency Officers Retirement Act or as a disabled officer of the Regular Army of the United States;

S. 2125. An act for the relief of Margit Stolz Bohm and Klaus Seigfreid Bohm;

S. 2185. An act for the relief of Annemarie E. Peterson and Wilhelm Ernst Geisel;

S. 2212. An act for the relief of Charles Michell;

S. 2262. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 2291. An act to amend the laws of the District of Columbia to regulate the practice of pharmacy and the sale of poisons and for other purposes, as enacted by Congress May 7, 1906, and as amended February 27, 1907, and as amended March 4, 1927 (D. C. Code of 1929, title 20, sec. 2-601, and the following);

S. 2303. An act for the relief of Miki Takano;

S. 2311. An act for the relief of Marie-Antoinette Kerssenbrock;

S. 2332. An act for the relief of Fumiko Ito Stewart;

S. 2364. An act to authorize the Interstate Commerce Commission to revoke or amend, under certain conditions, water carrier certificates and permits;

S. 2372. An act for the relief of Sizuko Kato and her minor child, Meechiko;

S. 2373. An act for the relief of the Reverend A. E. Smith;

S. 2407. An act authorizing the Secretary of the Interior to issue a patent in fee to George Scott;

S. 2439. An act for the relief of the Federal Republic of Germany;

S. 2453. An act authorizing the Secretary of the Interior to issue a patent in fee to Donald B. Billedeaux;

S. 2473. An act for the relief of Luciano Pellegrini;

S. 2479. An act for the relief of Mary Bouessa Deeb;

S. 2487. An act to permit review of decisions of Government contracting officers involving questions of fact arising under Government contracts in cases other than those in which fraud is alleged, and for other purposes;

S. 2577. An act for the relief of Mikio Abe;

S. 2584. An act to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo.;

S. 2657. An act to amend the act of June 28, 1944 (ch. 294, title III, 58 Stat. 414), and the act of February 14, 1903 (ch. 552, 32 Stat. 825);

S. 2662. An act for the relief of Sadako Ishiguro;

S. 2681. An act for the relief of Carlotta Olimpia Forgnone;

S. 2763. An act for the relief of Harry Ray Smith;

S. 2810. An act authorizing the Secretary of the Interior to issue a patent in fee to Winona Yellowtail;

S. 2815. An act to amend section 17 of the Federal Airport Act, as amended, so as to extend and broaden the program for reimbursement of the cost of rehabilitation and repair of public airports damaged by Federal agencies, and for other purposes;

S. 2869. An act for the relief of Yuriko Nishimoto;

S. 2918. An act to prohibit the introduction or movement in interstate commerce of articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals, and for other purposes;

S. 2989. An act for the relief of Commander John J. O'Donnell, United States Naval Reserve;

S. 3027. An act to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes;

S. 3050. An act to authorize the payment of certain claims for damage to private property, loss of wages, personal injuries, and death, arising out of noncombat activities of the Army;

S. 3161. An act to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment;

S. 3162. An act for the relief of Andrew Alexander Nara and Mary Kimberly Nara;

S. 3193. An act for the relief of Robert Royce Farkas;

S. 3248. An act for the relief of Mekaru Tatsubo;

S. 3263. An act relating to the rate of postage on certain publications entered as second-class matter prior to June 28, 1932;

S. 3277. An act for the relief of Paul D. Banning, Chief Disbursing Officer, Treasury Department, and for other purposes;

S. 3280. An act for the relief of Sadie Badir Ellis Nassif-Azar and George Badir Ellis Nassif-Azar;

S. 3281. An act for the relief of Chiu But Yue;

S. 3284. An act for the relief of Beverly Jane Ruffin;

S. 3303. An act to incorporate the National Conference on Citizenship, and for other purposes;

S. 3333. An act to vest title in the United States to certain lands and interests in lands of the Shoshone and Arapaho Indian Tribes of the Wind River Reservation and to provide compensation therefor and for other purposes;

S. 3343. An act for the relief of Hannah Crumet;

S. 3351. An act to establish a policy with respect to the granting of special exemptions to organizations and corporations from taxes imposed by the laws of the District of Columbia;

S. 3356. An act for the relief of Homer C. Boozer, Terry Davis, Leopold A. Fraczkowski, Earl W. Keating, and Charles A. Davis;

S. 3435. An act to authorize the Postmaster General to provide for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections;

S. Con. Res. 88. Concurrent resolution to make a change in the enrollment of S. 2938, to amend the Federal Reserve Act;

S. Con. Res. 89. Concurrent resolution to print proceedings at the presentation of the bronze replica of the Declaration of Independence;

S. J. Res. 143. Joint resolution to authorize the appointment of a Special Investigator and not to exceed five deputies with power to investigate improper and illegal conduct in the transaction of the business of the Government of the United States, and to prosecute such conduct where found; and

S. J. Res. 165. Joint resolution to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, notwithstanding the termination of the state of war.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3589) to amend title 17 of the United States Code entitled "Copyrights" with respect to recording and performing rights in literary works.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6163. An act to provide the basis for authorization of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, and for other purposes;

H. R. 8122. An act to continue the existing method of computing parity prices for basic agricultural commodities, and for other purposes; and

H. R. 8271. An act to amend section 457 of the Internal Revenue Code.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1999. An act authorizing and directing the Secretary of the Treasury to enter into an agreement with any State, Territory, or possession of the United States, or any political subdivision thereof, to provide that the head of each department or agency of the United States shall comply with the requirements of any statute of such State, Territory, possession, or subdivision, which imposes upon employers generally the duty of withholding sums from the compensation of employees.

AMENDING FEDERAL PROPERTY ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

Mr. HARDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5350) to amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 2, after "laws", insert "because such lands are not substantially changed in character by improvements."

Page 2, line 10, after "(2)", insert "to the extent that payment is not made or credit allowed therefor."

Page 2, strike out line 11, and insert: "(d) By deleting the figure '$75,000,000' in the third sentence of section 109 (a) and inserting in lieu thereof the figure '$150,000,000'."

Page 3, line 19, after "be", insert "prepared and submitted to the appropriate committees of Congress and a copy."

Page 4, line 9, after "Administration.", insert "Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting."

Page 4, line 11, after "required", insert "but not to exceed the amount of $10,000,000."

Page 4, line 12, strike out "buildings" and insert "buildings."

Page 5, line 11, strike out "245" and insert "345."

Page 6, after line 10, insert:

"SEC. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the act of October 31, 1951 (Public Law 247, 82d Cong.), is further amended by adding at the end thereof the following sentence: 'The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts'."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON GOVERNMENT OPERATIONS: AUTHORITY TO FILE REPORTS

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 736.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Government Operations may report to the House at any time during the present Congress the results of any study, survey or investigation made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BENCH LAKE IRRIGATION COMPANY OF HURRICANE, UTAH

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7305) to authorize the sale of certain land in Utah to the Bench Lake Irrigation Co., of Hurricane, Utah, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, after line 8, insert:

"SEC. 3. There are hereby reserved to the United States all rights to minerals, including oil and gas, in the lands authorized to be conveyed by this act."

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE NATIONAL SCHOOL LUNCH ACT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1732) to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, after "Rico", insert ", Guam."

Page 2, line 6, preceding "and" insert "the apportionment for Guam."

Page 2, line 9, after "Rico", insert ", Guam."

Page 2, line 14, after "Rico", insert ", Guam."

Page 2, after line 16, insert:

"(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., sec. 1760 (d) (1)) is amended to read as follows:

"'(1) "State" includes any of the 48 States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands.'"

Page 2, line 17, strike out "(c)" and insert "(d)."

Amend the title so as to read: "An act to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING THE TARIFF ACT OF 1930 WITH RESPECT TO IMPORTATION OF FEATHERS OF WILD BIRDS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7594) to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, after line 18, insert:

"SEC. 5. The Secretary of the Treasury is authorized and directed to admit free of duty a certain carillon of 23 bells to be imported for the Citadel, Charleston, S. C."

Amend the title so as to read: "An act to amend the Tariff Act of 1930, with respect to the importation of the feathers of wild birds, and to admit free of duty a carillon for the Citadel, Charleston, S. C., and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VICTORY BIBLE CAMP GROUND, INC.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1558) to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 9, after "deposits" insert ", including oil and gas."

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CATHOLIC BISHOP OF NORTHERN ALASKA

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3494) to authorize the sale of certain public land in Alaska to the Catholic Bishop of Northern Alaska for use as a mission, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 6, insert:

"SEC. 3. There are hereby reserved to the United States all rights to minerals, including oil and gas, in the lands authorized to be conveyed by this act."

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CHARLES A. GANN

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 651) to provide for issuance of a supplemental patent to Charles A. Gann, patentee No. 152,419, for certain land in California, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and D'EWART.

CONVEYANCE TO THE TOWN OF DEDHAM, MAINE, OF A CERTAIN STRIP OF LAND

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2190) to provide for the conveyance to the town of Dedham, Maine, of a certain strip of land situated in such town and used as a road right-of-way, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and D'EWART.

AUTHORIZING THE COMMISSIONER OF EDUCATION TO ENCOURAGE DEVELOPMENT AND GROWTH OF THE EDUCATIONAL FINE ARTS PROGRAM

Mr. HOWELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7494) to authorize the Commissioner of Education to encourage the further development and growth of the educational fine arts programs in State and land-grant and other accredited nonprofit colleges and universities, and in other nonprofit organizations, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. HALLECK. Reserving the right to object, what committee reported this bill?

Mr. HOWELL. The Committee on Education and Labor. There was a unanimous report.

Mr. HALLECK. Did the gentleman talk to the gentleman from Pennsylvania [Mr. MCCONNELL] about it?

Mr. HOWELL. Yes.

Mr. HALLECK. Did he say it was O. K.?

Mr. HOWELL. Yes.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to encourage the further development and growth of the educational fine arts programs in State and land-grant and other accredited nonprofit colleges and universities and in other nonprofit organizations, the Commissioner of Education is authorized to make provision for bringing to Washington, D. C., and to other communities in the United States where the Federal Government or the government of the District of Columbia has suitable space under its jurisdiction, for public presentation, fine-arts productions of such colleges and universities and nonprofit organizations.

SEC. 2. Upon the request of any college, university, or nonprofit organization approved for the purposes of the first section of this act by the Commissioner of Education, the General Services Administration, or the District of Columbia government, as the case may be, is authorized to make available without charge to any such college, university, or nonprofit organization for the presentation of fine-arts productions under this act and the sale of tickets of admission thereto, any suitable space subject to the jurisdiction and control of any department or agency of the Federal Government or the District of Columbia government with the concurrence of the department or agency concerned; but in providing suitable space for the presentation of such productions neither the Federal Government nor the government of the District of Columbia shall incur any expenses or assume any financial responsibility except those incidental to the furnishing of heat, light, and custodial services necessary for such productions in such space.

SEC. 3. The Commissioner of Education is authorized to receive contributions of money, materials, and other property from any source to aid in developing the programs authorized by this act. Any contributions of money so received shall be covered into the Treasury to the credit of a special fund, which shall be available to the Commissioner of Education for developing and carrying out the program authorized by this act. The financial transactions of the Commissioner of Education under this act shall be audited at least once each year by the General Accounting Office in accordance with such rules and regulations as may be prescribed by the Comptroller General of the United States.

SEC. 4. For the purposes of this act—

(1) The term "fine arts" includes living drama and music, opera, literature, architecture, sculpture, painting, ballet, and dance.

(2) The term "nonprofit organization" means any public or private foundation, charitable trust, or other organization (whether or not incorporated), no part of the net earnings of which inures to the benefit of any of its stockholders or members.

With the following committee amendments:

Page 1, line 7, beginning with the word "to", strike out down to and including the word "organizations", page 2, line 3, and insert "to assist in making arrangements for the public presentation in Washington, D. C., of fine-arts productions of such colleges and universities and nonprofit organizations".

Page 3, strike out lines 3 to 14, inclusive.

Page 3, line 15, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT O. HOLLAND AND BERGTOR HAALAND

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5238) for the relief of Albert O. Holland and Bergtor Haaland, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8, after "state", insert "while employed in Venezuela under contract with the Venezuelan Government."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

HARRIS A. BAKKEN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 746) for the relief of Harris A. Bakken, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "$3,692.80" and insert "$3,692.02, plus interest which has since accrued."

Line 10, strike out "$3,692.80" and insert "$3,692.02, plus interest on such sum."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SHELBY SHOE CO., OF SALEM, MASS.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1095) for the relief of Shelby Shoe Co., of Salem, Mass., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That (a) in full settlement of the claim of the Shelby Shoe Co., of Salem, Mass., against the United States for losses sustained by it as a result of contract No. W 19-074qm-4267, dated May 21, 1946, with the Procurement Division of the Department of the Army, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriate, the sum of $84,498.98 to the clerk of the United States District Court for the District of Massachusetts who shall use such sum (1) to pay to each unsecured creditor of said Shelby Shoe Co., after giving notice and upon demand therefor, as provided in subsection (b), the unpaid balance of his claim against such company appearing in schedules heretofore filed, under chapter 11 of the Bankruptcy Act, in the Shelby Shoe Co. bankruptcy case, No. 70372, and (2) to pay the balance of such sum, after making the payments authorized in (1) and deducting all incidental expenses incurred in the disbursement of such sum, to said Shelby Shoe Co.; but nothing contained herein shall authorize the payment to any such creditor of interest on the unpaid balance of his claim against such company.

"(b) Upon receipt of the sum herein authorized to be paid to the Secretary of the Treasury, said clerk shall cause notice to be published not less than once in each of three sucessive weeks in one or more newspapers of general circulation, and a copy thereof sent by registered mail to the last known address of each of the creditors described in subsection (a), advising such creditors of the provisions of this act. No such creditor shall be entitled to any payment under this act unless he shall file with said clerk a written claim therefor within 3 months after the date of such notice shall be last published, or the date such notice shall have been mailed to his last known address, whichever is the later.

"(c) No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Public Law 522 - 82d Congress
Chapter 703 - 2d Session
H. R. 5350

AN ACT

To amend further the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Federal Property and Administrative Services Act of 1949, amendments. 64 Stat. 578. 41 U.S.C. § 201 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (Public Law 754, Eighty-first Congress), is hereby further amended as follows:

(a) By inserting after "domain" in section 3 (d) "(including lands withdrawn or reserved from the public domain which the Administrator, with the concurrence of the Secretary of the Interior, determines are suitable for return to the public domain for disposition under the general public land laws because such lands are not substantially changed in character by improvements)".

(b) By inserting after "obligated" in section 3 (k) "or has the option".

(c) By deleting "and" before "such sums" in the second sentence of section 109 (a) and by inserting after "thereto", in this sentence "and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201 (a) (2) to the extent that payment is not made or credit allowed therefor,".

(d) By deleting the figure "$75,000,000" in the third sentence of section 109 (a) and inserting in lieu thereof the figure "$150,000,000".

(e) By deleting the proviso in section 109 (f).

(f) By revising section 202 (a) so as to read:

"(a) In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies and to the organizations specified in section 109 (f). The Administrator, with the approval of the Director of the Bureau of the Budget, shall prescribe the extent of reimbursement for such transfers of excess property: *Provided*, That reimbursement shall be required of the fair value, as determined by the Administrator, of any excess property transferred whenever net proceeds are requested pursuant to section 204 (b) or whenever either the transferor or the transferee agency (or the organizational unit affected) is subject to the Government Corporation Control Act (59 Stat. 597, 31 U. S. C. 841) or is an organization specified in section 109 (f); and that excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred as prices fixed by the Administrator with due regard to prices established in accordance with section 109 (b)."

(g) By revising section 202 (c) (2) so as to read:

"(2) transfer excess property under its control to other Federal agencies and to organizations specified in section 109 (f), and".

(h) By repealing sections 202 (d), 202 (e), 202 (f), and 309 (b).

(i) By striking from section 203 (e) the words "December 31, 1950" and inserting in lieu thereof the words "June 30, 1953: *Provided*, That an explanatory statement shall be prepared and submitted to the appropriate committees of Congress and a copy preserved in the file of all cases where negotiated disposal occurs."

(j) By striking "transferred, and that" in section 203 (k) (2) (iii) and substituting therefor "transferred, or that".

(k) By inserting after "system" in section 206 (b) "and standardized forms and procedures".

All 66 Stat. 594.

64 Stat. 580. 41 U.S.C. § 239a. Buildings Management Fund.

(l) By adding a new subsection (f) to section 210, to read as follows:

"(f) There may be established by the Secretary of the Treasury, on such date during the fiscal year 1953 as may be determined by the Administrator, a Buildings Management Fund, which shall be available, without fiscal year limitation, for expenses necessary for buildings management operations and related services, authorized by law to be performed by the General Services Administration. Accounting for the fund shall be maintained on the accrual method and financial reports shall be prepared on the basis of such accounting. There is authorized to be appropriated to said fund such sums as may be required, but not to exceed the amount of $10,000,000, and any stocks of supplies and any equipment, available for buildings management functions of the General Services Administration, on hand, or on order, on the date of establishment of said fund, shall also be used to capitalize the fund: *Provided*, That said fund shall be credited with (1) annual advances for nonrecurring expenses, quarterly advances for other expenses, and reimbursements from available appropriations and funds of the General Services Administration and of any other agency, person, or organization to which services, space, quarters, maintenance, repair, or other facilities are furnished, at rates to be determined by the Administrator on the basis of estimated or actual costs (including accrued leave, and maintenance, repair, and, where applicable, depreciation of equipment) and (2) all other reimbursements, and refunds or recoveries resulting from operations of the fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss of, or damage to property: *Provided further*, That following the close of each fiscal year any net income, after making provision for prior year losses, if any, shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided further*, That said fund shall not be available for expenses of carrying out the provisions of the Act of June 24, 1948 (62 Stat. 644), or section 5 of the Act of May 25, 1926, as amended (40 U. S. C. 345), and shall not be credited with receipts from operations under said provisions of law, or (except as provided in this section for the net proceeds of disposal of excess or surplus property and receipts from loss or damage to property) with any receipts required by any other law to be credited to miscellaneous receipts of the Treasury."

44 Stat. 633.

(m) By striking "supplies" wherever it appears in title III and substituting therefor "property".

(n) By inserting "(a)" after "SEC. 310." in section 310 and by adding a subsection (b), to read as follows:

"(b) Reference in any Act, except subsection (a) of this section, to the applicability of Revised Statutes, section 3709, as amended (41 U. S. C. 5), to the procurement of property or services by the General Services Administration or any constituent organization thereof shall be deemed to be reference to section 302 (c) of this Act."

64 Stat. 587. 41 U.S.C. § 286.

(o) By inserting after "records" in section 507 (c) "or other documentary material", by inserting after "use;" therein "and he may also prepare guides and other finding aids to Federal records", and by deleting after "Commission" therein "he may also".

(p) By inserting after "(2)" in section 507 (e) (2) "documents, including" and by inserting therein a comma after "recordings".

SEC. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the Act of October 31, 1951 (Public Law 247, Eighty-second Congress), is further amended by adding at the end thereof the following sentence: "The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts." 65 Stat. 708.

Approved July 12, 1952.

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